

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 22, 2025

DORN: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighty-fourth day of the One Hundred Ninth Legislative [SIC], First Session. Our chaplain for today is Matthew Pohlman of St. Stephens [SIC] the Martyr Catholic Church, Omaha, Nebraska, Senator Kauth's district.

MATTHEW POHLMAN: Oh, God, our Almighty Father, you govern all things by your providential care. We thank you and we praise you for the gift that it is to have a share in the blessings of your world and in your authority. We also thank you for the people of this great state for whom this legislative body convenes today. Please guide our work according to your divine will, inspiring within the members of this Chamber your own spirit, the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and the fear of the Lord. May you, Almighty God, the author and creator of every good work, bless the conversations and labors of this Unicameral. Be with these public servants, their families, and those they represent. Give us all we pray and experience of your closeness, trusting that you are with us always even to the end of the age. Strengthen us throughout this day as we work for the good of all according to your good pleasure and holy will. Give a kind ear to our prayer. Amen.

DORN: I recognize Senator Juarez for the Pledge of Allegiance.

JUAREZ: Good morning. And join me, colleagues. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

DORN: Thank you. I call to order the eighty-fourth day of the One Hundred Ninth Legislative [SIC], First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: There's a quorum present, Mr. President.

DORN: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: There are, Mr. President. On page 1637, remove the language from lines 20 to 38. That's all I have.

DORN: Thank you. Are there any messages, reports, or announcements?

CLERK: There are, Mr. President. Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Additionally, a report of registered lobbyists from May 21, 2025 will be found in today's Journal. That's all I have at this time.

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DORN: Thank you, Mr. Clerk. We will now proceed to the first item on the agenda.

CLERK: Mr. President, pursuant to the Speaker's agenda, MO256 will be re-- will be considered. Senator Ballard moving to reconsider LB-- the final passage of LB258.

DORN: Senator Ballard, you're recognized to open on your motion.

BALLARD: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I rise today to reconsider LB258 on Final Reading. As is well-known, I was the lone present, not voting member of the body when LB258 failed to advance past Final Reading. I did this believing I could file a motion to reconsider. However, when attempting to file the motion, I was informed that the exemption applies on Final Reading, where the introducer must file the motion to consider the vote on a bill that's failed to cu-- secure a constitutional majority. However, after further review of Rule 7, Section 7(a), states that the reconsideration request on Final Reading could be filed on a bill that lacked the constitutional majority within the next three legislative days. We also looked at Section 7(d), which says that a bill-- the keyword-- passed on Final Reading, only the bill's sponsor can file the motion to reconsider for technical amendments or clarifying amendments. In fact, I will read the entire rule to the body. Section-- Rule 7, Section 7, Reconsideration. When a question has been decided, it shall be in order for any member voting with the prevailing side or not voting to move the reconsideration thereof. A motion to reconsider must be made the same day or the original question was decided on the next legislative day, except when is reconsidered the vote on a bill which lacked constitutional majority on Final Reading. In such case, it must be made on the same day-- as my motion was-- or, or decided-- or on one of the next legislative days. A motion to reconsider must be disposed with by the legislative-- by the Legislature within five legislative days after making the same, or it shall be deemed defeated. A motion to reconsider may be withdrawn only with unanimous consent of the majority vote of the elected members. If the Legislature shall refuse to reconsider or upon the reconsideration shall affirm the, the-- its first decision, no further motion to reconsider shall be in order unless by unanimous consent. I think the relevant part of this rule is in part (d), for if a bill passed on Final Reading, no motion to reconsider shall be in order except by the introducer of the bill for technical or clarifying amendments. I agree with the thought process behind this rule, because opponents can kill additional time by filing additional reconsideration motions after a bill passed Final Reading. However, this is not the intention behind this procedural motion today.

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After bringing this to the attention of the Clerk and the Speaker, they agreed that was right-- we had the right to file the motion to reconsider. When-- which-- then I did note it on the bill page. I would like to take this opportunity to thank the Clerk and the Speaker for their due diligence-- due diligence to ensuring this is in order and the precedent that this is in order as well. With that, I would like to yield the rest of my time to Senator Raybould.

DORN: Senator Raybould, you're yielded 7 minutes.

RAYBOULD: Thank you, Mr. President. Good morning, colleagues. And thank you, Senator Ballard, for your quick thinking in filing this reconsideration motion at a time when things were truly chaotic. I want to thank Senators Hallstrom, Bosn, and Sorrentino for pressing this case to correct this mistake when the motion was timely filed. I made a commitment to follow the rules of this body and not bend the rules despite what so many might be saying today. I have made copies of the briefing from our Clerk. And for those who are interested in reading it, it's on my desk. I want to thank Speaker Arch and our Clerk for their due diligence and following the rules of our body. I ask for your support and eventually the vote for LB258 as we work together to create balance for the people of Nebraska. I brought this bill to give business owners predictability, get young people into the job market for two years of on-the-job experience, and raise the wage for employees 16 to 19 who are hired at that statutory 90-day training wage. For many, this minimum wage job is their very first job. Minimum wage is for entry-level work in the job market. I truly appreciate all the comments and emails from so many in, in addressing this important issue. Passing this legislation will give Nebraska the 18th highest minimum wage in the nation despite having the 10th lowest cost of living. This does not account for the disparate cost of living between our state's urban and rural parts. First, I want to get on the record that this bill was never and it is not a plan hatched to undermine the will of the voters. Some states are seeing much more drastic measures in response to minimum wage increases and the mandated paid sick leave. Missouri, for example, last week voted to rescind paid sick leave entirely and removed any annual increase in the minimum wage. That is not us. And that is not what LB258 does. If our voters had a measure placed before them that said the minimum wage would rise to \$15 an hour in 2026 and then increase annually at 1.75%, they would have passed that too. Additionally, they would've voted to correct the training wage oversight linking it to 75% of the federal minimum wage of \$7.25 per hour. They did not have an option before them. They had a choice. A majority of urban Nebraska supported the initiative. A majority of rural Nebraska did not. We have a responsibility to look at this not

through a singular lens but as a whole. I am saddened that the debate on previous rounds of debate on this bill became ugly, heated, and personal. It didn't have to, and that was a choice as well. I want to be very clear for our fellow Nebraskans that are watching this this morning about what they can expect from LB2-- LB258 when passed. Number one, the minimum wage for all workers age 16 and over will be \$15 an hour beginning on January 1, 2026 and will increase annually by 1.75%. This provides businesses predictability and a fixed amount of increase for employees. I want to thank Senator Clouse for bringing a compromise to the table and working through the language we needed. Number two, this bill provides a youth wage for 14- and 15-year-olds. Hiring youth is essential. All economic studies agree that life skills learned in the workplace at this age indicate positive future economic and educational outcomes throughout their lifetime. Many who have been the loudest against this youth wage measure have in the past been advocates of this wage differential, including organizations like Nebraska Appleseed and Nebraska AFL-CIO. This bill offers businesses an incentive to continue to hire this age group in spite of all the prohibitions and limitations on the job duties this group can perform and the restrictive hours they may work. Number three, the Legislature and Initiative 433 entirely overlooked the existing training wage statute. This bill strikes the existing language that allows employers in our state to pay 75% of the federal minimum wage-- that's \$5.44 per hour-- for up to 90 days. Senator Machaela Cavanaugh said that is bananas when she heard this. LB258 corrects this by making the training wage different, effectively 90% of the Nebraska minimum wage for up the 90 days for those aged 16 to 19. Again, that is 90% of Nebraska minimum wage for 90 days. You know, many everyday Nebraskans have been so misled on the bill that they had no idea that this statute existed. And when it is accurately explained to them, they are glad to hear that we are fixing it. Not all business models are the same. When we say Nebraska businesses, they're not a monolith. Large buis-- large businesses can withstand sweeping wage and benefit mandates up to a certain point in time. Small and mid-sized businesses-- those that fill our Main Street Nebraska communities-- cannot. With this bill, we are simply providing structure, predictability, and an incentive where it did not exist before. I'm grateful to so many of my colleagues here who have supported this bill throughout the tumultuous process and for standing together, doing our jobs despite others who are pushing a false narrative. So when the time comes, colleagues, I ask you to please vote green for this consideration. Thank you, Mr. President.

DORN: Thank you, Senator Raybould. And you are next in the queue, so you can go ahead and talk.

RAYBOULD: Thank you, Mr. President. You know, the additional time I have, I just want to read letters from constituents all throughout our state of Nebraska. This is someone who is a franchisee of Scooter's Coffee in Nebraska. As a multi-unit franchisee of Scooter's Coffee in Nebraska, I want to express my strong support for LB258, which would exempt minors from the current minimum wage law and allow businesses to set wages based on market conditions. While the intent behind increasing the minimum wage is to, is to support workers, the reality for small businesses like mine is far more complex. The rapid rise in labor costs has forced franchise owners to make difficult decisions, including reducing staff, limiting hours, and prioritizing experienced workers over hiring young, entry-level employees. For many minors, part-time jobs are their first introduction in the workforce, teaching them responsibility, teamwork, and financial independence. However, when wages are set too high, businesses cannot afford to hire inexperienced workers, ultimately reducing job opportunities for teenagers who would benefit most from early employment experience. LB258 would provide critical flexibility for franchise owners, allowing us to continue offering entry-level jobs to minors while maintaining financial stability. It ensures that Nebraska businesses can make real-world wage decisions based on market conditions rather than a one-size-fits-all approach dictated by the government. I strongly encourage the Nebraska Legislature to support this bill and help protect valuable workforce development opportunities for young people. I appreciate your leadership on this issue, and happy to provide further insight into how this impacts small business owners across the state. Thank you for your time and consideration. I'm going to read part of this from a grocer. It starts out, I'm writing to support LB258. My husband and I own a grocery store in Stromsburg, Nebraska and currently have 19 employees. Seven of these are high school students and are entry-level employees. Arriving to work on time, managing their time well, problem-solving, and learning to work with other employees to accomplish tasks-- tasks are just some of the soft skills they acquire while working in our store. These are skills employers are looking for, and we feel we are giving them a head start on the future employment as they work at our store during their high school years. We have not hired a high school student in over a year. This is a direct result of minimum wage increase. Establishing a youth training wage would be an incentive for us to continue to hire young people. We always have high school students looking for employment. Working at a grocery store is a great first job for the reasons mentioned above, and we would like to continue hiring students. But if no changes are made, we plan to reduce the number of high school employees at our store. Two years ago, we had nine high school

employees. We strive to serve our small community of 11-- 1,170 people by keeping the store open and viable. We support the annual fixed rate increase-- and in this-- at this time, it was 1.5% for minimum wage-- because it would give us some stability as we plan for our wage increases each year. Thank you, Mr. President.

DORN: Thank you, Senator Raybould. Senator Hughes, you're recognized to speak.

HUGHES: Thank you, Mr. President. I rise today in-- I support the, the reconsider motion, but I just wanted to get a chance to talk about just this bill and maybe-- I'm gonna start with just the other ballot initiatives that are going on. I've talked before about how Nebraska has common sense, and I think a lot of what we're doing here is common sense. And, and I'll explain more as I go, but what we are doing on all these-- we've had several ballot mea-- initiatives up for discussion with different bills this session. Things get voted in in November, and then we have the purview to set the parameters or details on-- in, in statute for the issue. We are doing this today on minimum wage. We've had this discussion with the sick time initiative. And we attempted to do this just the other day on the medical cannabis, which I supported the commin-- committee amendment brought by Holdcroft and Hansen to try to set commonsense parameters for that. But let's go back to the minimum wage. This bill puts the increase annually at 1.75% for the minimum wage. The ini-- the, the language-- the initial language was going to be the Midwest CPI. The last 20-year average of the Midwest CPI was 1.5%, assuming you take out the couple years with COVID because that was quite the anomaly. So the average Midwest CPI, the last 20-- save for COVID-- was 1.5%. In this bill, it's-- we're gonna increase it every year 1.75%. To me, that is a win-win. It's a win for employees because they're actually getting more than what the average has been for the last 20 years. And the other side to it iv-- is the employer. They're the ones that have to pay it. And they're the ones that need to plan. You know, the, the first couple iterations of this-- next year, we go up to the \$15. Businesses need to know their expenses, and this is a way that we are giving them that knowledge. They know exactly what their wages are gonna do every year. Once it hits \$15, it will go up 1.75%. So to me, this is about common sense. It's helping our employees a little bit more than what that typical average is. And we're helping our employers because, guess what? If we don't have those employers, we don't have jobs. And so I really appreciate this bill. The other piece that-- and actually, Senator Raybould mentioned it, was that training wage. If we didn't bring that up-- I, I don't know the numbers right offhand, but it was something like \$5 and some cents is the federal training wage, which I don't-- that's crazy town that that would be in

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there. So I look at this as a commonsense measure. I support the reconsider. And I yield back my time. Thank you.

DUNGAN: Point of order.

ARCH: Senator Dungan, for what purpose do you rise?

DUNGAN: Thank you, Mr. President. Mr. President, I believe this motion to reconsider is out of order. And I would just like to make a clear record about that briefly. My understanding is that the rules imbue upon us essentially certain privileges and opportunities in the Legislature. What's being done here with MO256 is not contemplated in the rules. And there is no specific rule advising or explaining why we should or how we should be able to do this. So I just want to make a clear record as to why this is in order if it is in order. And it's my objection as I believe it's out of order.

ARCH: Thank you, Senator Dungan. A motion to reconsider a decided question may be initiated by any member who voted with the prevailing side or by a member who did not cast a vote. That motion to reconsider was filed by Senator Ballard on the 14th, and-- so that has been met. Once a motion to reconsider is made, the Legislature has five legislative days to vote on that motion to consider. Today is day five. That has been met. As Rule 7, Section 7(a) broadly states, quote, when a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move for a reconsideration thereof, end of quote. Further restrictions are found in Rule 7, Section 7(d), whereas, quote, for a bill passed on Final Reading, no motion to reconsider shall be in order except by the introducer of the bill for technical or clarifying amendments, end of quote. Notably, while a limitation of the reconsideration rule is contemplated on General and Select File for bills that fail to advance because the Legislature has not exhausted their opportunities to renew the motion, the rule only provides further limitations for bills on Final Reading that are passed. In the case of LB258, the bill was not passed, and a final determination has been made. A plain reading of subsection (a) would say that any member voting with the prevailing side or not voting may move for a reconsideration for this decided question. LB258 was decided, and Senator Ballard was ultimately recorded as a negative vote-- in this case, a negative vote representing the prevailing side. Our legislative rules have no further restrictions on a motion to reconsider the bill-- a bill that has failed to pass on Final Reading. Consistent with similar precedent: with LB809 in 1984, in a plain reading of Rule 7, Section 7(a), in voting with the prevailing side, Senator Ballard has properly filed a reconsider motion given the facts

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presented here. It is important to note that, consistent with Rule 7, Section 7(c), the motion to reconsider a vote on a bill that lacked the constitutional majority of Final Reading would require a three-fifths vote for successful adoption. That is my response, Senator Dungan.

DUNGAN: My follow-up question-- thank you, Mr. President. I appreciate the explanation there. So is it the ruling of this chair that any bill that fails to pass on Final Reading is reconsiderable?

ARCH: So the facts that I presented this morning are all necessary for that to be rescheduled. So, yes, assuming that all the requirements-- for, for reconsider-- all requirements are met, yes.

DUNGAN: And to be clear, you've referenced some precedent. I think you said in 1984. That's the only other time this has been done in the history of the Legislature?

ARCH: Sorry, Senator Dungan. I don't have the-- I don't have the other, but there are other precedents, pers-- specifically arou-- surrounding E clauses as well.

DUNGAN: OK. Do you know whether or not objections were made at those times and any rulings from the chair were made about whether or not it was in order at those times?

ARCH: I don't believe so. But there were no objections at that time, and the Legislature took up the reconsiderations.

DUNGAN: OK. Thank you. Thank you, Mr. President. I just, again, would renew my objection. I do believe this is out of order. I'd ask for a ruling of the chair, although I believe you just gave one, but I would ask for an official ruling of the chair.

ARCH: It is the ruling of the chair that this reconsideration motion is in order. Returning to the queue. Senator Conrad, you're recognized to speak.

CONRAD: Thank you, Mr. President. Good morning, colleagues. I rise in opposition of the reconsideration motion and I thank my friends, Senator Dungan and Speaker Arch, for providing a clear record about what is happening today. While I disagree that this motion is in order, I respect the decision of the chair. There is scant precedent that supports this procedural ruling, yet nevertheless I think it is time that we move forward. The other thing that I think is important to note is that Final Reading is meant to be a final point of reflection and gravity for all members. That is why, by rule, plainly, Rule 2, Section

3(h), members are actually required to be in their seat and listen to debate and participate in the process and reflect before casting a final vote that becomes law in the state of Nebraska. That rule is implicated in the situation before us. I have served in the body for over 11 years. I have seen members wheeled in from hospital beds. I have seen members rushed to the floor from the emergency room because presence matters. And they took their presence and their vote seriously in regards to Final Reading. That precedent too bears upon this situation in the moment. Additionally, we have a further wrinkle and complication when it comes to the new rule championed by my friend, Senator Kauth, that moved a PNV, a present, not voting, to no, which I think vitiates against this ruling as well. Myself and others warned about unintended consequences, and we've seen that play out multiple times in regards to that rule this very session. And it complicates this matter. Friends, Nebraska is at the top of one of those lists that you want to be at. Many indicators show that we're number three in the country in terms of quality of life, a strong economy, and a vibrant society. We're consistently rated as one of the top ten states to do business. We ha-- presently and historically have one of the lowest unemployment rates in the country because of our work ethic, because of how hard Nebraskans work-- in many instances, multiple jobs. And in most instances, entering the workforce at a young age and building their resume and building their skills and contributing to their future, their family. The people of Nebraska have the precious right of initiative, and it should be treated as such. It is not an advisory opinion, as some members may suggest. And the historical and legal record to support such is clear despite their misleading advocacy. Nebraska voters voted to give working families dignity and a modest but meaningful raise with certain increases and then an opportunity to keep pace with inflation because that addresses another reality in Nebraska, wherein we're the number one state where adults working full time year-round are living in poverty. This helps to lift up over 150,000 Nebraskans. The minimum wage initiative was passed by almost 60% of the voters all across the state. I disagree with the procedural ruling. I will keep fighting for the will of the voters. I will keep fighting for working families. But I leave you with this: every member in here is doing their best, arguing their point valiantly and zealously on behalf of them and their constituents. And that's our job. And at the end of the day, the votes fall where they fall and we remain friends in service to this institution and our state. Thank you, Mr. President.

ARCH: Senator Storm, you're recognized to speak.

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STORM: Thank you, Mr. President. Good morning, colleagues. I rise in support of reconsidering this. And I would yield the rest of my time to Senator Hallstrom.

ARCH: Senator Hallstrom, 4 minutes, 45.

HALLSTROM: Thank you, Mr. Speaker. Thank you, Senator Storm. I rise today in support of the motion to reconsider. Hats off to the opponents. Well played, and well within the rules. Just as this motion to reconsider, as the Speaker has so eloquently suggested, is in order and appropriate. We're here today due to a, in the heat of the moment, a mistake in the interpretation of the rules governing motions to reconsider bills on Final Reading. Having said that, I want to personally laud the Clerk. I have been up to the front of the Chambers and asked questions about rules interpretations, and I'm amazed at his knowledge and grasp of the rules off the top of his head. So in no way, shape, form, or fashion is my suggestion that there was a one-time error in interpretation intended to say anything other than I have the utmost respect for both he and the Speaker. But we're also here today in accordance with the rules pursuant to a timely filed motion to reconsider by Senator Ballard. I don't think the fact that there's limited precedence has any bearing on this. The Speaker has suggested that a plain reading of the rule makes it clear that we are here properly, that we should take a motion-- a vote on the motion to reconsider and move on to whatever lies ahead. Had that motion to reconsider filed by Senator Ballard been taken up when it should have been, we would have voted. Had that motion to reconsider been successful, we would have moved immediately to Final Reading and the fate of that bill would have been cast at that time and we wouldn't have the need to be here today. If I had my druthers, that's exactly what we'd do today. This motion is on the board. LB258 was up there earlier and not surprisingly got removed, and that's OK. We'll take this one step at a time. But what we're here today-- at least the supporters of the bill are here today for-- is to cast 30 votes to reconsider. And then we'll determine what next step happens. There's a saying that justice delayed is justice denied. And while that has application clearly on substantive issues, justice is in the eye of the beholder in those cases. And clearly, on the substance of this issue, we have disagreements among members of the body as to what will ultimately constitute justice and what will prevail. But it particularly rings true when we're talking about rules of procedure. And again, we have followed the rules of procedure to the T. I would add in addition to what's been said that clear and simple language under Rule 6(8) expressly authorizes a motion to reconsider a bill which failed on Final Reading, which requires a three-fifths vote.

That, coupled with everything else that was noted by the Speaker in his response to Senator Dungan's point of order, makes it clear that we are here properly. There's an old 1930s radio show that was known as The Shadow. And the announcer every time would say, who knows what evil lurks in the hearts of man? The Shadow knows. Senator Conrad earlier this week suggested that Senator Raybould and Senator Bosn and I were scurrying around the Chamber with our rule books. At my age, with or without my rule book, I don't do much scurrying anymore. But there's no nefarious plot. But who knows what lies ahead? There's obviously a, a potential that the rules may or may not allow us to put something together this year, in which case we'll take our ball, go home over the interim, and come back next year armed to get this done. And in the meantime, we'll continue to look for avenues to properly put this matter to Final Reading for a vote and final action yet this session. Thank you.

DeBOER: Thank you, Senator Hallstrom. Senator Moser, you're recognized.

MOSER: Thank you, Madam President. Good morning, colleagues. Good morning, Nebraskans. I rise in support of the reconsideration motion. I believe that we are following the rules. And we'll see how the vote goes once we get to voting on the reconsideration and on the original question. The question of the will of the people is suspect-- well-- bad term-- is in question because the people did vote on this-- and that's true. However, the constitution gives us the ability to adjust the, the question to suit the purposes that the Legislature feels are appropriate with 33 votes. If the will of the people was sacrosanct and could not be touched, then the constitution would not allow us to consider how we might change the, the law to make it, in our estimation, better and more fair. And then also when you consider that it was a vote of the people, you have to look at the \$3-plus million that outside interests spent to get this ballot question put before the voters and approved by the voters. It wasn't a grassroots sort of movement that got this done. It was-- I think it was \$3.4 million if I remember correctly. You can look at the Accountability and Disclosure paperwork and check that if you're at home and you, you want some interesting reading. You can thumb through there and look at all the money that's spent to lobby the Legislature, to support ballot questions. It's interesting reading. You see who is behind some-- who are-- what people are behind some of these questions, and it, it brings a little new light into the process. So again, I support the reconsideration motion. I appreciate Senator Ballard for bringing it. I appreciate Senator Raybould for coming up with a sensible bill to regulate the minimum wage. And I ask my colleagues to support the

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reconsider and then support the Final Reading version of the bill.
Thank you.

DeBOER: Thank you, Senator Mols-- Moser. Senator Hallstrom, you're recognized.

HALLSTROM: Thank you, Madam President. That was a pregnant pause. Just for the record, a, a few things-- and I think this reiterates in the support for the, the Speaker's ruling and the appropriateness of us being here today. Under Rule 7(a), when a question has been decided, it shall be in order-- emphasis added for any member voting with the prevailing side or not voting to move for a reconsideration thereof. In addition, Rule 6(8)-- and I think this is important-- it expressly authorizes a motion to reconsider a bill which failed on Final Reading and does require a three-fifths vote, which will be the standard for today. When all of the chaos was occurring last week when the bill was considered on Final Reading, I recall Senator Machaela Cavanaugh was running-- I shouldn't say she's running up and down the aisle, but I happen to hear her say, you can't have a motion for reconsideration on Final Reading. And the one thing that popped into my mind-- which is not applicable here, as the Speaker has noted-- I remembered a, a Tony Fulton bill, LB736A, that had been passed, was sitting on the governor's desk, and it was determined that a clarifying or technical amendment needed to be adopted. And that's exactly what happened. And as the Speaker noted, that is the part of the rule that is clearly inapplicable to this particular setting because Rule 7(a) says, on a bill which lacked the constitutional majority on Final Re-- excuse me-- a bill that passes is only subject to a motion for reconsideration by the sponsoring senator. And that is exactly what happened. I reached out to Senator Fulton, in fact, because I wasn't able to find the bill initially, and then determined that it wasn't a bill but an A bill. And so there is precedent for that, but it also clearly shows that that requirement for the motion to reconsider-- which was the initial suggestion by the Clerk-- that it had to be made by the sponsoring senator-- again, was not applicable to the case at hand. And with regard to the requirement for a constitutional amendme-- or, majority, Article 313 is the general rule, which simply requires a majority of all members to pass a bill. But in this case, since we're making amendments to a statutory initiative, Article 3(2) is the governing constitutional majority provision, which requires a two-thirds vote. So I think all in all, those particular provisions are in place and we are here for the right reasons and doing the right work today. With that, Mr. Speaker, I would-- or, Madam President, I would yield the rest of the time back to the chair.

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DeBOER: Thank you, Senator Hallstrom. Senator Guereca would like to recognize three very special guests: Kathleen Durkin from Seattle, Washington; Amy Krutz from Lincoln; and Mauricio Lang from Lincoln. They're seated under the nor-- north balcony. Please rise and be recognized by the Nebra-- by the Nebraska Legislature. Senator Meyer, you're recognized.

MEYER: Thank you, Madam Speaker. I rise in support of LB258. There seems to be an implication here that there's something nefarious going on by, by this particular bill, that we're trying to circumvent the will of the people. Nothing could be further from the truth. We're trying to strengthen it. And I think the implication that we have ill will towards people at, at-- working for the minimum wage-- it's not a living wage. It is a minimum wage. We're all aware of that. I, I think that's just wrong. Many in this body-- and probably, for the most part, most, if not all-- have worked for a minimum wage at one time, a starting entry-le-- entry-level wage. We've advanced ourselves. We got better jobs. We improved our skills. We moved up the-- moved up the wage ladder, and, and we're all better for that. So once again, the implication that we're trying to do something negative to negatively affect the people working at the entry level is, is totally false. And, and, and frankly we should resent that. With that, I would yield the balance of my time to Senator Raybould. Thank you.

DeBOER: Thank you, Senator Meyer. Senator Dungan, you're recognized. Sorry. Senator Raybould, you're yielded 3 minutes, 28 seconds.

RAYBOULD: Thank you, Madam President. I just want to read some of the briefing that made the determination why, why what we're doing is in accordance with the rules. And for those listening, I, I can just read some other passages. So Senator Conrad is correct. This has been used at least going back until the '80s. So there's examples in 1984, 2008, 2011, and 2017. And so I'll just read the legalities so people at home can understand. One of the more notable e-- examples of a bill reconsidered on Final Reading occurred in 1984 with LB809. Prior to the bill being read, Senator DeCamp withdrew a series of amendments, resulting in the immediate reading of LB809. Senator Newell, the primary introducer, was absent from the Chamber at the time of the vote, and the bill failed to receive a constitutional majority in the affirmative, resulting in the bill failing to pass-- 20 affirmative, 22 negative, and 1 present, not voting, 6 excused, not voting. Subsequent to this action, on the same legislative day, Senator Newell moved to reconsider the action taken on LB809 on the Final Reading. This motion to reconsider prevailed with 33 ayes and 0 nays. Ultimately, the bill was passed with 28, and 18 in the negative. The Legislature has also

reconsidered votes taken on Final Reading where the bill failed to receive a constitu-- constitutional majority voting in the affirmative for the emergency clause to be attached. In 2011, Speaker Flood directed the Clerk to request the governor to return LB704 for further consideration. The Legislature had voted to pass the bill with the emergency clause stricken. After con-- consultation with the executive branch, Speaker Flood notified the body of the complication not having the emergency clause would cause. The motion to reconsider prevailed. The bill was returned and passed with the emergency clause attached. As recently as 2017, Senator Stinner moved to reconsider the Final Reading on LB331 that had previously passed without the emergency clause attached. The motion prevailed, and the bill was passed with the emergency clause attached. There are also instances of where a bill was successfully passed on Final Reading but a motion to reconsider was made, both in order and out of order. During the 2008 Legislative Session, after both LB736 and LB736A had passed on Final Reading, Senator Fulton-- this was mentioned before-- who was the primary introducer, filed a motion to request the governor to return the bills for further consideration. A technical amendment was necessary. After the amendment was filed and the motion to request return was successfully passed, the governor-- Governor Heineman agreed to return the bills. Subsequent to this, the Legislature reconsidered the vote on the final passage of the bills. The vote was successful. So colleagues and fellow Nebraskans out there listening, we are following the rules of the body, and there is examples of precedence. So I want to thank you for your continued listening to, to the debate this morning. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould. Senator Dungan, now you're recognized.

DUNGAN: Thank you, Madam President. Colleagues, I rise today opposed to the motion to reconsider for a number of reasons, not the least of which is the institution. And I understand that there's a lot of folks in here who maybe don't think often about the integrity of the institution or they may not think that our actions look poorly upon the integrity of the institution, but I will tell you that the people that I've spoken to outside of this building and the people that I talk to about what we do in here think that this entire thing that we're doing is a farce. Right? They think this entire process that we're going through is giving people a second bite at the apple because they messed up. And that's what we're doing. Right? That is literally what we're doing. And that's-- if you think that's OK, that's fine. My dad, when I was playing games as a kid, used to give me a hard time. He would really upset me because I would do a legal move and he would look at me

and go, well, if that's how you wanna win, that's OK. No, no, no. If you want to win that way, that's fine. Go ahead. And it would just drive me nuts. That's what this feels like. No, no. If you-- if this, if this is how you guys wanna win, that's fine. OK. Go for it. That's what it feels like. And so colleagues, I disagree that this is in order. I made my point of order earlier. The rules are silent as to this, and so this sets a precedent here today that under these conditions we can always file the motion to reconsider a bill that failed Final Reading. And this sets a precedent also, colleagues, that we can do whatever we want if the rules are silent about it. Senator Hunt yesterday made a comment that the rules are kind of what we say they are, and that's absolutely true. And I don't think that's the route that we should go down in here. But what we're saying here today is that if our rule book doesn't tell us something, we can do whatever we want to. And that is a dangerous path to go down. So colleagues, I disagree that this is in order. But even if it is in order, this is, I think, a waste of time. I think it's a waste of the people's time. And for us to, if not break, bend the rules in an effort to continue our parade of walking back the people's votes, I think it's kind of an embarrassment for the body. And when you look at the perception of this Capitol, we have driven ourselves into the ground as a serious body. And that's really embarrassing. The very first time that I got on the mic and I spoke my very first time here, I kind of looked around the room, and I think the first things I talked about were how impressive and amazing it is to be in here. And I'm going to be honest with you, colleagues, I still feel that weight of the room when I come in here. I still feel the significance and the heavy mantle of what it means to be a state senator. And I really hope that you do too. Final Reading is intended to be a somber occasion. Final Reading is intended to be a time that we sit and we listen to the bills. And, yes, sometimes we chat and sometimes we're on our phones. I understand. We're human. We do that. But the fact that we are reconsidering a bill that failed because people were not taking seriously their obligation to this body and sitting in their chair and listening to the bill being read and in doing so continue to walk back the voice of the people is really sad, and it's really disappointing. I said not too long ago that there are some friends of mine who are generally very politically involved. They go-- they, they vote. They knock doors during elections. They did a lot during the ballot initiatives. By the way, they weren't paid by whoever these millionaire companies are you always talk about. They were volunteers. And they say to me that they feel completely dejected. They don't want to participate anymore because, what's the point? I say to you, people at home, please keep participating. Your voice does matter. I know it doesn't feel that way, but local politics are absolutely the

one area that you can make a difference. So please stay involved. Don't give up. I know that we have let you down as a body and I know that we continue to let you down, but, colleagues, I encourage us all to take a deep breath, to not give up, and to continue trying because we have a lot of work still to do for the people and we have a lot of work that I genuinely think can still make people's lives even just a little bit better. So colleagues, I encourage you to vote no on the reconsider and show people that we still have something worth standing for in this body. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Senator Hansen, you're recognized.

HANSEN: Thank you, Madam President. Colleagues, I'll be brief. I think the Speaker laid it out eloquently about the process of this reconsider vote. And I just want to-- I just want to say, just because the rules need to be addressed possibly next year-- I'm on the Rules Committee, and this may be something we have to clarify possibly next year. But just because the rules aren't exactly clear on this reconsider vote doesn't mean we can't reconsider it. I think it's totally within our purview, and I think Senator Ballard followed the right, the right role and process of reconsider. And I think the ruling was correct. So-- like I said, it's not explicit in the rule book what we can or can't do. And so for that reasoning, I think then now it is up to us as a body then to right now determine what we feel is correct, which, you know, will come when we vote on this. And then-- this is something I think between now and next year, or the following year, that we may have to address. So right now, I think this vote will help provide some clarity on where we need to go in the future. But I do agree with the ruling from the chair about this reconsider vote. So I would encourage you to vote green. And then let's think between now and next year if this is something we have to address. Thank you, Madam President.

DeBOER: Thank you, Senator Hansen. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Madam President. Good morning, colleagues. Well, I rise in opposition to the motion to reconsider. I agree with what a lot of people have said, that Final Reading is different than other rounds of debate. It is structured in such a way to impute to you-- or, to, to us the importance and the weight of what we're doing. There are countless votes on other rounds of debate, and often people aren't quite sure what they're voting on when they vote on some amendment that gets up and the introducer only gives the one, you know, one introduction and no other, no other debate. But Final Reading, we're meant to be in our seats, the entire bill is read, and then we

sit and wait for a minute after we cast our votes to see if anybody wants to change their mind or, or reconsider at that point in time. So it, it has a different weight than the other rounds of debate. So the rules are unclear on this, and that's why we're in the position we're in, but they were unclear enough that this didn't get taken up immediately and there had to be a lot of research done to figure out if this was possible. So that is certainly in a, in a gray area. But I did want to address a few things about the underlying bill that people have said. Throughout all of the rounds of debate on this bill and others, there has been some confusion, where the advocates for this bill and for paid sick leave bill have said that, we can do this, therefore we'll do it. And so those of us who have said-- have argued with that have said, yes, you can do it, but you shouldn't. That's the distinction. Several people have just stood up and said that we are wrong for saying we shouldn't do this. So I would like to point out to you that is not what we're saying. We're saying you shouldn't. So I was thinking about this: as an illustration, there's a television show called The Simpsons. It's been on for a number of years. It's probably actually been on for Senator Ballard's entire life would be my guess. So The Simpsons-- there's an episode where the main characters are at the circus or the fair or something. And Homer, the father, says he has "deep-fat" fried his shirt. And his wife, Marge, says, I didn't say they couldn't; I said you shouldn't. So maybe that'll help you understand the distinction as you're all walking around here with your "deep-fat" fried shirts on. We are not telling you you can't do this. We are telling you you should not do this. Because the will of the voters was clear and that this bill does go against the will of the voters. We are invested with the authority to amend the will of the voters, but we should take it very seriously. We should take it so seriously that we should all be here when we do it. And then if we choose not to be, that then we shouldn't take another bite at that apple. That's what people are saying here, that this is a serious thing to be done. The constitution allows by a vote of a supermajority of 33 to amend ballot initiatives. That was put in the constitution as a way to discourage the Legislature because, before it was put in, it was a simple majority. So we should take this very seriously. And a few other points. The Nebraska Examiner did a nice job on an-- analyzing this bill. And one thing to point out, this bill allows for a 1.75% annual increase in the minimum wage. The CPI over the last 25 years has been 2.39%. Over the last ten years, it's been 2.63%. And so it has historically been higher than what is in this bill. Additionally, the youth wage is set-- the youth minimum wage for ages 14 and 15 begins next year at \$13.50, which would increase 1.5% every five years beginning in 2030, meaning that it would stay below the \$15 current

threshold for the regular minimum wage until January 1, 2065. 2065. That means somebody born 10 years from now, even maybe 20 years from now, will still have a youth minimum wage that is lower than the current minimum wage with the rate of growth here. So there are a lot of points about this-- reasons I disagree with this bill fundamentally. But the biggest problem with the reconsider, whether you agree that it is within the rules or not, we should not do it. We've had this debate. We've had this bill. We had a Final Reading vote on it. And it failed to meet the constitutional threshold. So I encourage your red vote on the reconsider. Thank you, Madam President.

DeBOER: Thank you, Senator John Cavanaugh. Senator Guereca, you're recognized.

GUEREC: Thank you, Madam President. You know-- I know I'm one of the younger senators in this room, but I've been in politics for a while. And a hard-fast rule when you're coming up to an election or a vote: know your count. Colleagues, someone didn't know their count and a vote was lost. We talked about common sense. When you lose, you lose. This feels wrong. It just does. Now, I wasn't going to talk on the underlying bill, but something Senator Cavanaugh just said shocked me. This, shockingly, disproportionately affects young people. So let's be really clear. What this bill does, it locks this youth minimum wage locked in for the next 40 years. Under the proposed growth rate, it will take 40 years for the youth minimum wage to catch up with the \$15 an hour that was on the ballot that the citizens of this great state voted for. 40 years, colleagues. 150,000 workers will be affected by the vote we're about to take. 75% of them are under 20 years old. I know I sound like I'm beating a broken drum, but can we stop the attack on young people? Vote after vote in this legislator feels targeted towards young people. But we expect them to stay in state and help us grow the good life? This feels wrong, colleagues. 75% of the 150,000 workers are under the age of 20. 61% of those workers are women. Over half of them live in poverty. So I know I like to hear this is not a living wage, but when over half of the people affected live under the poverty line, colleagues, the reality is this, for some people, is a living wage. I know we don't like to hear it. I know oftentimes we plug our ears and cover our eyes, but that's the truth. We're locking in young workers 40 years. I-- feels wrong, colleagues. It just does. So for the average worker who works a part-time job, what this LB will do is cost them \$373 a year. But for the average young worker, it's going to cost them \$2,226 less a year. Now, I know to some of my colleagues that doesn't seem like a lot. But when you're living under the poverty line, when you're a single mother trying her very best to raise their child, that's what we're doing. We're taking that money out of their

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pocket. 40 years, colleagues. This feels wrong. Thank you, Madam President.

DeBOER: Thank you, Senator Guereca. Senator McKinney, you're recognized.

McKINNEY: Thank you, Madam President. I rise in opposition of the motion to reconsider for a multitude of iss-- reasons. I've opposed this bill from the day one, even when it was passed-- well, introduced in, in, in the past in other sessions. You know, overall, the other day, many people stood up when we were debating the marijuana debate and said we need to respect the will of the voters. The voters spoke. A lot of people stood up and said that on LB677. But on this, they're not gonna respect the will of the voters. So again, as I said, people talk out of two sides of their mouths a lot of times when they get on this mic. Also, I find it offensive to quote Martin Luther King in justification of this. It, it really is, you know, disrespectful to his legacy and who he was as a man by the-- throughout his life and at the time of his death. You know, he stood against poverty. And honestly, when he started to speak about poverty and the Poor People's Campaign, I honestly believe-- and I think a lot of people believe-- that's why he was killed. It wasn't the civil rights. It was about the economic rights and, and the poverty across this nation that he began to speak on that I think led to his death. And he has stated, the time has come for us to civilize ourselves by the total, direct, and immediate abolition of poverty. He wasn't somebody going around advocating for people to be poor. It was the total opposite. So to use his name in support of this disrespects his legacy and who he was as a man. And then people say minimum wage was not to be-- meant to be a living wage. OK. Even if you have that argument, is somebody making minimum wage supposed to live in poverty? This is supposed to be America, the land of the free, the greatest country in the world, where y'all elected a president to make America great again, all these type of things. So are we saying in the supposed greatest nation in the world people making minimum wage are supposed to live in poverty? But we can-- we, we talk about other nations. We talk about other countries and act as if we're holier than everybody. But you're-- you cannot sit here and tell me that in the supposed greatest nation in the world we're supposed to be OK with people making minimum wage living in poverty. No matter if they're young or old. It's, it's just crazy. And then to talk about this youth minimum wage like you're doing these youths a-- youth a favor. I really wanna know-- and maybe she'll get up again later and maybe explain it-- but how many businesses were using the youth minimum wage or are using the youth minimum wage today? How many businesses are paying youth \$5 an hour? My daughter just started a job. And she's

within that 90-day period. And she's making \$13.50. She's not making the \$5 or whatever Senator Raybould is saying that youth are making in this training period. How many businesses are paying \$5 an hour or whatever it's supposed to be? Because I would guess not many, if not none. So to say, oh, we're going to do this youth minimum wage and we're go-- doing the youth a favor-- I don't even think they're being paid \$5 an hour today. They're making \$13.50. And you're, you're attempting to make sure that if some businesses doe-- do use the youth training wage that we're just doing them a favor and they're stuck with it for 40 years. It's, it's, it's crazy. But lastly, when you stand up and speak, especially when you quote people, don't disrespect their legacy in the process. Thank you.

DeBOER: Thank you, Senator McKinney. Senator Ballard, you're recognized.

BALLARD: Thank you, Madam President. I just want to briefly get up and, and talk-- and kind of respond to some of the things Senator Dungan had to say. Greatly appreciate his, his advocacy and his opinion on this issue. But I-- I'm going to push back on the, the idea that we're breaking or bending the rules just because we lost. I think that there is-- we-- and I appreciate the opponents saying that this is well within our rights, well within the rules to, to file this motion. It's, it's hard to, to understand-- especially when there's a, a bill, a bill that I support that's sitting on Final Reading that's, at my last count, had five rounds of debate. And the opponents have not gotten up and say that's breaking or bending the rules. But I also want to make clear that this is not-- it was my fear that this would be a runaway motion on Final Reading. That's not what this is going to do. I think Senator Hallstrom laid it out well, that this is only for bills that have not passed. So for example, a hypothetical. Say if Senator Dungan saw the light and supported my, my, my modest protections for health care workers. If that bill passes, then Senator Clouse would have to file the motion to reconsider. So this isn't gonna be a runaway reconsider on a lot of Final Reading, Reading bills. This is for a small subset of bills that have either technical changes, clarifications, or in con-- or in instances that we are in today. With that, I'd like to yield the rest of my time to Senator Hallstrom.

DeBOER: Senator Hallstrom, you're yielded 3 minutes, 25 seconds.

HALLSTROM: Thank you, Senator Ballard. Just one more clarification. There were some folks rising in opposition to this motion who suggested that there wasn't any precedent and the rules are silent. I would again note Rule 6(8), specifically with regard to motions and what's required

on Final Reading. There's a category for motions to reconsidered. One category is when failed on Final Reading, which is applicable here. The second one is when failed with the emergency clause. And I believe I understand and recall that, with regard to the emergency clause issue, what that means is a bill that requires 33 votes. And if a vote on Final Reading does not get 33 votes, I think precedent has been that the Legislature can go ahead and vote a second time on the bill. And if they get 25 votes, it passes. It just passes without the emergency clause and there's a delayed effective date. But the precedent in this case is that if the body says we want a second bite at the apple, we want to get 33 votes, we want and need it to go into effect with the emergency clause, there is and has been motions to reconsider that vote that are taken. And if they get the 33 votes, then the bill is passed with the emergency clause. And I also want to take a moment-- and I've, I've talked to Senator McKinney off the mic here. I too can be offended by people not reading and listening. I did not invoke the name of Martin Luther King when I used the quote that I used, "justice delayed is justice denied." I have the utmost respect for Martin Luther King and what he did and the part he played in history and his tragic death far too young. In fact, what I said was "justice delayed is justice denied," which is widely attributed to a British prime minister from the late 1900s named William Gladstone. And in fact, Senator McKinney, what Martin Luther King said was "justice too long delayed is justice denied." Nuanced. I think they meant the same thing, but I in no way either used the name of Martin Luther King or, or intended in any way to "impugne" the integrity of a fine man. Thank you.

DeBOER: Thank you, Senator Hallstrom. Senator Juarez, you're recognized.

JUAREZ: Good morning, colleagues. Good morning to those watching us on TV. And good morning to those watching us online. I rise in opposition to the reconsider motion. And I wanted to provide some information on an opinion about the minimum wage law. And one thing that I wanted to state-- because a lot of times I like reading information that's shared with me-- is because I really like providing the perspective of others who contact me so that I, I can let the body know how other people feel on issues. And-- not that I don't val-- value the words that I want to state for myself or my own opinion, but I want the people to know who contact me that I am reading the emails. I am-- I appreciate the feedback that you provide to me. And one thing that I'm hoping that the young people consider today with what's happening and how this change is going to affect you is that hopefully it will get you to think about whether or not you want to come and have a seat here yourself. I encourage you to continue learning, learning about the offices at the

local level and at the state. And I encourage you to think about your place here and to make these changes that are needed and that you're not impacted for 30 years. One thing I wanted to give attention to in regards to a handout that was provided by Senator Raybould is on the minimum wage increase in Nebraska. The handout is incorrect. And on January 1, 2025, the percentage increase was not 22.72%, but it was 12.5%. So you may-- I'd like to highlight that, of course, the rest of the information is incorrect. And I'm concerned about whether or not the Midwest C-- CPI data is also accurate. Again, she mentioned about the false narrative, and I would like to highlight that I'd like this document corrected. The support for teenage workers was in the opinion of the Omaha World-Herald, and this was by Lou Turco from Fort Calhoun. As a high school student living in Omaha, I am writing to address the dangers of enacting LB258 and LB698. Nebraska's minimum wage increases slightly every year in the increments of \$1.50 to account for inflation increasing the cost of living. LB258, introduced by Senator Jane Raybould, would essentially fix that minimum wage for minors at a rate of \$13.50 an hour despite the minimum wage for adults progressing. By preventing their wages from adjusting for inflation, a subminimum wage would be legalized, creating a pay gap between minors and adults. The summer after I turned 14, I held a part-time job refurbishing used computer equipment. There I worked alongside my coworkers, all age 20 and above, performing the exact same task. My labor and the labor of other teenagers is not inherently less valuable because of our age-- but if LB258 were to pass, it would be. Similarly, LB698, introduced by Paul Strommen, also seeks to undermine the liberties that Nebraska minors have to the workforce by eliminating protection for employment under the age of 16 to earn paid sick leave. Both of these bills have a common interest in reducing teenagers to second-class citizens, posing a major threat towards all working teenagers but especially those whose income goes towards supporting their families. I urge you to stand up against LB259 and LB698-- if not for yourself, for a teenager you know. Thank you. And I yield the rest of my time.

DeBOER: Thank you, Senator Juarez. Senator Raybould, you're recognized.

RAYBOULD: Thank you, Madam President. I appreciate the comments of all my colleagues. And I do want to jump on what Senator Rez [SIC] suggested. My numbers are correct. It's referencing the increase from \$9 an hour. And so I'm happy to sit down with her and show how those calculations work. You know, we are not breaking any new ground here by the briefing that was provided by the Clerk and the Speaker. We are perfectly in order and following the rules. And I can assure you that if this was reversed, my other colleagues in the Chamber would be doing exactly the same thing. The other thing I want to say is that, you

know, I'm disappointed because I feel very much that Senator Garica [SIC] and Senator McKinney have not read the bill because they keep mislabeling things. And Senator Garica [SIC], your numbers don't add up. You, you are 14 years old for 1 year, not 40 years. And it goes the same for a 15-year-old. There are two components to this, this bill. One is the youth wage. Youth wage. It is being proposed in this bill to be at \$13.50. That's what you start at if you're 14 years old. The businesses may pay you that. We know that we have a workforce shortage. Senator McKinney was absolutely correct. In statute right now, you could be paid \$5.44. But we all know that's ridiculous. Nobody pays that. That's why we're doing a cleanup. We're actually cleaning up antiquated language in our statutes. I'm pretty sure we have never, ever done that, ever. We'd never do cleanups. Pretty sure we do it on a daily basis. So the youth wage for 14- and 15-year-olds is \$13.50. And it increases every five years at 1.5%. You're only 14 one year and you're only 15 for one year. Now, there's a training wage. This is in our books right now. A training wage is 75% of the federal minimum wage for 90 days. We are correcting the oversight from the ballot initiative. The new language will be 90% of the Nebraska minimum wage for 90 days. Again, an employer does not need to do that. They can offer you minimum wage from the first day that you're hired. But in this instance, they do not have to do that. It's up to them. But again, it's not for 40 years. It's for 90 days. So 90% of Nebraska minimum wage for 90 days. 90% of \$15 is \$13.50. This is something that is very clear in the bill. And I encourage my colleagues-- this is, this is what has troubled me so much, this false narrative, this misinformation. And again, I want to mention to my colleagues: last week, in Missouri, they capped minimum wage at \$15, no annual increase. We know that other states are doing it, like Minnesota and California. Ohio is gonna be doing it next. It's not because they're trying to diminish the value of young workers. We're trying to encourage businesses to incentivize them. And I know I read you one letter from one business, and I'm happy to read you another letter on my-- probably my last time on the mic so that you have a greater understanding. Businesses want this lower rate so that they would be incentivized to hire 14- and 15-year-olds. Every single economic analysis knows how important it is to 14- and 15-year-olds to have this first-time, on-the-job work experience. It sets them so well in life. That is so important. The training wage is the training wage as it has been in the books, but we're up-- updating it. And I'm pretty sure, if that were on the ballot, people would have voted for that too. It'll always be 90% of the Nebraska minimum wage, whatever the Nebraska minimum wage is in 2028 or 2029, for 90 days. When I sit down and explain this to nonprofits and other groups, they're-- they look at me and say, oh, my

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God, that's so reasonable. That's not what we're being told. That's not what we're hearing. Each bill and measure we work for, we strive for balance. We try to collaborate and cooperate with many competing interests. Do we fall short sometimes? Yes, but the beauty is we can come back and fix it. We're gonna be dealing with paid sick leave. If we don't get it right the first time--

DeBOER: Time, Senator.

RAYBOULD: --we can come back. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould, Senator Hunt, you're recognized.

HUNT: Thank you, Madam Chair. Good morning, colleagues and Nebraskans. Senator Raybould, for every letter you read from a business owner about why they want this bill, I can read you four or five from business owners and from workers about why they don't want this bill. So this anecdotal stuff-- you know, read as many letters as you want. I don't think that has anything to do with whether it's a good idea or not, but I-- you know. What I want to talk about is the reconsider motion because we already had three rounds of debate about the merits of the bill. The letters have been read. The arguments have been made. And now what we have is an optics issue and a break from norms and tradition so that proponents of this minimum wage bill can get a second bite of the apple at whatever cost. Through the course of this debate, I was interested to learn-- people are talking about the reconsider motion from 1984 and saying, well, see, there's precedent. There's precedent. It's happened before. It happened in 1984. I learned that the reconsider motion in 1984, it was successful, but, colleagues, the bill failed anyway. Ernie Chambers was here at the time, and he-- even he recognized that the reconsider motion was bad optics. It was in bad taste. From an article at the time in the newspaper, it says, when Clark-- Clark was the guy that-- the Ballard in this situation-- who made the motion-- when Clark moved to reconsider LB829, a collective bargaining measure sponsored by Wesely that had failed Monday morning on Final Reading, Chambers again protested. Quote, I'll not be bitten twice by the same dog, he declared. He had supported LB829 but said he would not support a reconsideration. Quote, to vote for it now would be joining activities I think are reprehensible and totally wrong. And it goes on: although the 30-- although the necessary 30 votes were garnered to reconsider LB829, it fell one vote short of the 25 needed for final approval. I think-- other, other senators have made the point about the sacredness and importance of Final Reading throughout history in the Legislature. And I think we have such a large freshman class-- and it's been clear throughout this entire session that they have had

very little mentoring. A lot of them came in thinking they were born knowing that they can explain how things are done to us. And I say us when even seven or eight-- even two terms in the Legislature isn't really enough time to fully grasp every nuance of the tradition and the work that we do here. But I think that we do the institution-- we honor the institution by trying, by trying to understand and trying to show respect and reverence for the procedures that we use in this body. And part of that is the respect for Final Reading. It's not being in the cafeteria eating chicken fried steak. It's being in your seat, listening to debate, prepared to vote. And I can tell you, if it was someone-- if it was a progressive-- I wouldn't even say a Democrat-- but if it was somebody who was a proponent of a progressive measure and we knew we needed every vote, as Senator Raybould knew on this measure, we would have made sure they were all in their seats. They would not be in the cafeteria eating chicken fried steak. Colleagues, proponents of this measure lost fair and square, and now they want a do-over because you were arrogant and you couldn't be bothered to be in the Chamber to listen to debate and cast your vote. It is shameful that you are being given a do-over because you couldn't listen to the debate and be in your chair. Now what you're doing is you're teeing up a second bite at the apple for a policy to stick it to minimum wage workers when if those same workers had acted the way you did, Senator Sorrentino, members of this legislation, if those minimum wage or-- workers had not shown up to work, had been screwing around on the job, had not been present, they would have been fired. They would have received disciplinary action. But privileged senators like Senator Raybould who stand to glean a financial windfall from this--

DeBOER: Time, Senator.

HUNT: --could care less. Thank you, Madam Chair.

DeBOER: Thank you, Senator Hunt. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Madam President. Good morning, Nebraska. I hope you're waking up. I told you yesterday towards the end of the day that it was time to wake up and vote people out and just start fresh with your Nebraska Legislature. This morning, we are not considering overriding a veto that would make the city of Omaha do something about bed bugs in homes for low-wage individuals. Instead, we are reconsidering a vote that was already taken on Final to cut wages for low-income people while the costs of goods are going up. So all I really have to say about any of this is, let's do it. Let's continue to

descend into the chaos. Because who cares anymore? Certainly your Nebraska Legislature doesn't care anymore. Thank you, Madam President.

DeBOER: Thank you, Senator Cavanaugh. Senator Raybould, you're recognized. And this is your third opportunity.

RAYBOULD: Thank you, Madam President. Thank you, colleagues, for the debate and discussion. I feel it is really important that our fellow Nebraskans hear the truth about what LB258 does. I would have loved to have seen letters from small businesses that are in support of this. But to be honest, I-- in, in support of the minimum wage and then a CPI increase. I would have loved to see small businesses say, yeah, we're good with a CPI increase and tying it to the cost of living. I never got one of those type of letters that Senator Hunt was referencing that she's gotten four for-- what-- every one of mine anecdotal where small businesses say, yes, we would hire 14- and 15-year-olds if we could pay them \$13.50. But I never get one from any other business saying, gosh, I, I wanna keep paying more and more and more. Businesses want to take care of their employees. They want to be competitive. We have a workforce shortage. They will do everything they can to be not only competitive on wage, competitive on benefits, and flexible. There's some large corporation like Kawasaki. They've instituted a third line for those parents that drop their kids off in the morning and so that they can be there at 9 or 9:15 or 9:30 and go until 2 or 2:15 so that they can leave and go pick up their kids from school. That's what businesses do because they respect the workforce. And it's clear we have to create flexibility to keep and retain our workers. The important thing about this bill is we absolutely, positively want businesses to be incentivized to hire those 14- and 15-year-olds. And also, let's update the statutes while we're doing it. This is something that we do on a daily basis. This is not out of order and this is not being unreasonable. But my colleagues have issued statement after statement that doesn't reflect what is in this bill. We are not doing what other states like Missouri are doing. We certainly respect the vote of the people. We are also doing our jobs as legislatures to create that balance. I don't think that the balance should be on hardworking businesses to pick up that slack, to pick up the tab. We just know that there are headwinds coming our way for businesses in Nebraska. The tariffs will be increasing prices for all hardworking Nebraskans. You know, the good news is, as a Legislature, we can amend and modify and improve this legislation next year and the next to make sure the economic vitality of businesses and our communities continue. There is nothing in this bill that prohibits or restricts any businesses, small, medium size, or large, from offering \$15 from day one-- to even those that are 14- and 15-year-olds. There is nothing

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that prohibits a business to do this. But they know that they can be incentivized to hire more 14- and 15-year-olds at \$13.50. Like I said before, businesses must be competitive with their wages and benefits and flexibility. LB258 is creating that balance. That's what we do as legislatures. We don't just listen to one side of the issue. I've been in business all my life since I was eight years old, and I was trained to listen to both sides of the story. They may conflict, but you have to listen to both sides of an issue to craft the best policy that will help our hardworking Nebraska families, and that is what LB258 does. So I ask colleagues that you vote green for the reconsideration. And hopefully we will get back to passing LB258. Thank you, Madam President.

DeBOER: Thank you, Senator Raybould. Seeing no one else in the queue. Senator Ballard, you are recognized to close on your motion.

BALLARD: Can I get a call of the house, Madam President?

DeBOER: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 37 ayes, 2 nays to place the house under call, Madam President.

DeBOER: The house is under call. All se-- unexcused senators, please return to the Chamber. Those unauthorized personnel, please leave the floor. The house is under call. Senators, please record your presence. All unexcused senators are now present. Senator Ballard, you may close.

BALLARD: Thank you, Madam President. I'll be brief. Just one correction for the record: the precedent we're relying on is LB809, which did pass on Final Reading. So I, I appreciate that. I just wanna thank the, the Clerk of the Legislature, the Speaker for scheduling this. This is-- and all the conversation today. I think this is the right motion. It is well in order and is the right thing for this Legislature to do. With that, I'd ask for your green vote. And I-- please-- accept a roll call vote. Thank you, Madam President.

DeBOER: The question before the body is the motion to reconsider. There has been a request for a roll call vote. Mr. Clerk, will you please call the roll?

CLERK: Senator Andersen voting yes. Senator Arch voting yes. Senator Armendariz voting yes. Senator Ballard voting yes. Senator Bosn voting yes. Senator Bostar voting no. Senator Brandt voting yes. Senator John

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Cavanaugh voting no. Senator Machaela Cavanaugh voting no. Senator Clements voting yes. Senator Clouse voting yes. Senator Conrad voting no. Senator DeBoer voting no. Senator DeKay voting yes. Senator Dorn voting yes. Senator Dover voting yes. Senator Dungan voting no. Senator Fredrickson voting no. Senator Guereca voting no. Senator Hallstrom voting yes. Senator Hansen voting yes. Senator Hardin voting yes. Senator Holdcroft voting yes. Senator Hughes voting yes. Senator Hunt voting no. Senator Ibach voting yes. Senator Jacobson voting yes. Senator Juarez voting no. Senator Kauth voting yes. Senator Lippincott voting yes. Senator Lonowski voting yes. Senator McKeon voting yes. Senator McKinney voting no. Senator Meyer voting yes. Senator Moser voting yes. Senator Murman voting yes. Senator Prokop voting no. Senator Quick voting no. Senator Raybould voting yes. Senator Riepe voting yes. Senator Rountree voting no. Senator Sanders voting yes. Senator Sorrentino voting yes. Senator Spivey voting no. Senator Storer voting yes. Senator Storm voting yes. Senator Strommen voting yes. Senator von Gillern voting yes. Senator Wordekemper voting no. Vote is 33 ayes, 16 nays to reconsider.

DeBOER: The motion is successful. I raise the call. Mr. Clerk.

CLERK: Madam President, some items for the record. Senator Murman, amendments to be printed to LB306. New LR: LR274 from Senator Storer. That will be laid over. That's all I have at this time. As it concerns the agenda, Madam President, the Nebraska Retirement Systems Committee will re-- would report favorably on the gubernatorial appointment of Michael Donley to the Public Employees Retirement Board.

DeBOER: Senator Ballard, you are recognized to open on the committee report.

BALLARD: Thank you, Madam President, members of the Legislature. The Nebraska Retirement Systems Committee held a confirmation hearing on May 13 for two appointments to the Nebraska Public Retirement Board. The first appointment to the PERB board was Michael Donley, who was appointed by the governor to fill a vacancy on the state employee plan seat on the board. His term will expire on January 1, 2030. Mr. Donley graduated from the University of Nebraska-Lincoln with a Bachelor of Arts in Sociology and received an MBA from Oxford University in the United Kingdom and his JD from Harvard Law School. Mr. Donley is a native of Bassett, Nebraska and has a longtime history of public service, serving as a general counsel to the University of Texas, Tyler and the inspector generals for the Tex-- inspector general for the Texas Education Agency prior to, prior to returning to Nebraska. Mr. Donley is a veteran of the United States Air Force and currently serves

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as a general coun-- counsel to DAS. Mr. Donley previously taught law at the University of Texas, Tyler and professor of ethics at the University of Houston and has served a, a, a wide variety of local governments and nonprofit board. Mr. Donley served as general counsel to the Federally Qualified Health Center System Board and related finance and investment committees and advised the board on investment decisions in that capacity. At his confirmation hearing, Mr. Donley demonstrated a firm understanding of the role of the PERB board and trustees in the fiduciary of the state retirement plans. The committee voted out Mr. Donley's appointment to the Legislature on a unanimous 6-0 vote. I would ask for your support of Michael Donley to the PERB board. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Question before the body is the confirmation report from Retirement. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the committee report, Mr. President.

DeBOER: It is adopted.

CLERK: Madam President, the Nebraska Retirement Systems Committee would report favorably on the appointment of Brent Larson to the Public Employees Retirement Board.

DeBOER: Senator Ballard, you're welcome to open on the committee report.

BALLARD: Thank you, Madam President and members of the Legislature. The second appointment to the PERB board is Brent Larson, who was appointed by the governor to fill a vacancy on the Class V Employee Retirement Systems, or the, or the OSERS, plan. His term will expire on January 1, 2029. Mr. Larson graduated from the University of Nebraska-Kearney with a bachelor in science and secondary mathematic education and received his u-- his master's degree from the University of Nebraska at Omaha, completing graduate programs in secondary education in mathematics for secondary teachers. Mr. Larson is a 26-year teacher and coach of Omaha Central High School and was awarded to-- the Robert Noyce Master's Teaching Fellowship in 2-- 2011. His-- he has served as department chair for mathematics-- department at Central since 2013. Mr. Larson served on the Nebraska Association of Teachers of Mathematics Board for four years, including the president of the board in 2018. His confir-- at his confirmation hearing, Mr. Larson stressed the importance of main-- maintaining and improving the health of our state and local

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retirement plans, particular the, the-- particularly the, the OSERS plan. The committee advanced Mr. Larson's appointment onto the Legislature on a 5-0 vote, with me-- 1, 1 member present, not voting. I'd ask for your support of Brent Larson to the PERB board. Thank you, Madam President.

DeBOER: Thank you, Senator Ballard. Seeing no one else in the queue. You're recognized to close. Senator Ballard waives closing. The question before the body is the adoption of the confirmation report from Retirement. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays on adoption of the committee report, Madam President.

DeBOER: The committee report is adopted. Mr. Clerk for the next item on the agenda.

CLERK: Madam President, the Health and Human Services Committee would report favorably on the gubernatorial appointment of Roy Christensen to the Commission for the Deaf and Hard of Hearing.

DeBOER: Senator Hardin, you're welcome to open on the committee report.

HARDIN: Thank you, Madam President. The Health and Human Services Committee reports favorably on the appointment of Roy Christensen for the confirmation by the Legislature to the Commission for the Deaf and Hard of Hearing. Mr. Christensen holds degrees in speech pathology and audiology. He moved to Lincoln in December 1997 to begin his career in hearing health, initially practicing at Bryan West Hospital. After five years, he joined ENT Nebraska at the St. Elizabeth complex. In 2007, he established his own private practice, Christensen Audiology and Hearing Aid Center. In addition to his professional credentials, Mr. Christensen served on the Lincoln city council from 2013 to 2021, demonstrating a commitment to public service. Given his extensive education, clinical expertise, and public leadership experience, I believe Mr. Christensen will be a valuable asset to the commission. The HHS Committee advanced this appointment with a 7-0 vote. And I respectfully urge your green vote in support of his confirmation. Thank you, Madam President.

DeBOER: Thank you, Senator Hun-- Hardin. Turning to the queue. Senator Conrad, you're recognized.

CONRAD: Thank you, Madam President. Good morning, colleagues. I just want to lend my congratulations and support to a outstanding community

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member, Mr. Roy Christensen, who is up for this appointment. Many of us in the body, particularly those of us hailing from our capital city, have had the opportunity to get to know Mr. Christensen and to work with him on a variety of different community and political endeavors. He admirably served our state as a member-- or, our community as a member of the city council. And I can tell you that even though we frequently had a different perspective on key issues, I always appreciated Roy's willingness to keep an open dialogue, his professionalism, his kindness, and I also appreciated the commitment he brought to, you know, bucking the tide at times and standing up for working families. So I'm pleased to support the confirmation, and I hope others do as well. Thank you.

DeBOER: Thank you, Senator Conrad. Seeing no one else in the queue. Senator Hardin, you're recognized to close. Senator Hardin waives closing. The question before the body is the adoption of the confirmation report from the Health and Human Services Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of the committee report, Madam President.

DeBOER: The report is adopted. Mr. Clerk for the next item.

CLERK: Madam President, the Government, Military and Veterans Affairs Committee would report favorably on the appointment of Bryan D. Waugh to the Nebraska State Patrol.

DeBOER: Senator Sanders, you're welcome to open on the committee report.

SANDERS: Thank you. And good morning, Madam President, colleagues, and Nebraska. Mr. Bryan Waugh appeared before the Government Committee yesterday, May 21. He spoke to us about his military service and his extensive experience in Nebraska law enforcement. He is originally from West Point, Virginia, but his service in the United States Air Force took him to Offutt Air Force Base, where he served four years in the military law enforcement. He also served two years of duty overseas in Southeast Asia and Saudi Arabia. He ultimately spent four years on active duty and served in a fur-- a further four years in the United States Air Force Reserves. After completing his military service, he choose-- chose to remain in Nebraska and spent 21 years with the La Vista Police Department. He eventually reached the rank of captain in that department. In 2019, he was appointed to chief of police for Kearney Police Department. Senator Stan Clouse testified in our

committee hearing about the lasting positive impact that Chief Waugh made in Kearney. In addition to his work, Mr. Waugh has shown that he's eager to keep learning. He has earned degrees from Metro Community College, Bellevue University, and the University of Oklahoma. He is also a graduate of the FBI National Academy and numerous other law enforcements and leadership training programs. He already has extensive relationships with law enforcement colleagues across Nebraska. He is the most recent president of the Police Chiefs Association of Nebraska, and he mains mem-- he maintains his membership in a number of other law enforcement and veterans organizations throughout the state. The Government Committee voted unanimously to recommend Bryan Haugh's-- Waugh's confirmation as superintendent of the State Patrol. I ask for your green vote. Thank you, Madam President.

DeBOER: Thank you, Senator Sanders. Senator Fredrickson would like to recognize 40 special guests: fourth graders from Loveland Elementary in Omaha. They're located in the north balcony. Please rise and be recognized by your Nebraska Legislature. Turning to the queue. Senator Clouse, you're recognized.

CLOUSE: Thank you, Madam President. And obviously, this is an appointment that I'm very proud of. And as Senator Sanders referred to all of the accolades that you could give to-- I call him Chief Waugh-- also a good friend of mine. This appointment is one that I think is, is quite important for this body and for this state. The superintendent of the Nebraska State Patrol is a huge responsibility. And I've known Chief Waugh for a number of years-- Superintendent Waugh, hopefully, as-- if this body concurs. And I would tell you that every place he's been, the professionalism has risen. And we have a tremendous amount of support in our community for our law enforcement. The professionalism that they exhibit, just the-- the professionalism, I, I guess, is, is probably the best way to sum that up. You don't see that everywhere, but certainly he's raised the bar. The partnership with Buffalo County Sheriff's Department, the things that we've been able to move forward with technology. And also while he was there, also improved the relationships with Nebraska State Patrol. So I am unequivocally proud of Chief Waugh, and I look forward to his work with the Nebraska State Patrol. I think you'll see it rise to another level. And he, he brings a, a thirst for improvement. And I couldn't be prouder for him. And I would encourage your green vote. And thank you, Senator Sanders.

DeBOER: Thank you, Senator Clouse. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Madam President. Well, I rise in support of the nomination of Chief Waugh to be the new superintendent. Incredibly impressive resume, great background, down-to-earth guy. So I really-- I mean, I think we're lucky that we have somebody that is so qualified for this job. But I, I did-- in addition to supporting Chief Waugh, I wanted to talk about the, the hearing yesterday where I did get to ask him some questions about how law enforcement is dealing with the current state of the law as it pertains to medical cannabis. So I know you guys are probably all sick of hearing me talk about this this week, but this is a serious issue that needs to be addressed. And the Legislature's not acting. I get that. But there is currently in state statute-- specifically, Section 71-24,105-- so 24,105 if you're looking it up on your computer-- is where the ab-- right to possess cannabis is enshrined in statute. It says it shall not be a crime under state law or local law for someone who has a doctor's recommendation to possess up to 5 ounces of cannabis. It specifically says use, possess, acquire cannabis up to 5 ounces if they are a person-- a qualified patient who has a recommendation. So that is the current state of the law. People can get a recommendation either from a doctor in the state of Nebraska-- doctor, nurse practitioner, osteopathic doctor, or a physician's assistant. So they can already get that. But they can also get it from someone-- from one of those professionals out of, out of state in a state that has the Uniform Licensing Act. So there are people who are starting to get these recommendations in other states-- specifically our neighboring states of South Dakota and Missouri. People are going over there, seeing a doctor, getting those state licenses. So this is the state of the law in Nebraska, which means that law enforcement is potentially coming into contact with individuals who are in compliance with law in Nebraska and law enforcement does not know what to do or they are not advised what to do because there is some confusion about the state of law. People think that the possessory aspect doesn't go into until July 1 or October 1. That's not true. Those, those dates are just for the regulatory aspect for selling and distribution. The possessory aspect is in statute now and is law. And so I asked Chief Waugh what education and guidance is being provided to our state troopers. Because if they pull someone over and they have less than 5 ounces of marijuana with them and the officer sees that, smells that, whatever the standard interaction is, and the person says, I have a medical cannabis card, an officer who has not been educated about this will potentially ticket or arrest that person thinking that they are in violation of the law. And this would be a, of course, a violation of that person's rights, but it would also be a bad situation to put the officers in. And so our law enforcement entities have an obligation to start educating their patrol officers about the current

state of law. So I asked Chief Waugh what the State Patrol has done. Obviously, he's not in charge yet. He said that they would do it through a bulletin, meaning they would send out a bulletin to the patrol officers advising them of this edu-- this change in law and that they are to be on notice of that and how to deal with it. He said-- I asked him if they have done that yet. He didn't know. But he said if they haven't done it yet, they would be doing it as soon as he takes over. So I asked them to provide me with a copy of that bulletin when they do send it out. I am additionally working on asking our other major law enforcement entities in the state of Nebraska what education they have been providing. I have put both the city of Omaha and the city of Lincoln on notice that I'm going to be asking that so they have an opportunity to formulate an answer. But I will just tell you these entities-- I might run out of time so I'll push my light-- that these entities, these major law enforcement-- all law enforcement should be doing this, but of course I'm not going to send a letter to every police department and county sheriff in the state. But all of these entities have an obligation to educate their officers for the purpose of officer safety but also safety of the citizenry. Because officers of course have long-standing job of enforcing the drug enforcement laws of the state of Nebraska, which does mean ticketing people and sometimes detaining for possession of cannabis. So this is really an important thing for people to-- for the law enforcement departments to be doing. But it is more important still that we continue to educate everyone that this is currently the law. There are a lot of people in here-- oh. Madam President, I'll go on to my next time if I'm the only one in the queue.

DeBOER: You're next in the queue.

J. CAVANAUGH: Thank you, Madam President. So there's confusion in this body, of course, about what the state of the law is. So I know I've said it many times, but I will, for the record here, rehash it in this context. Currently, it is legal for someone with a doctor's recommendation to possess up to 5 ounces of cannabis in any form, plant specifically, but also derivatives, extracts, compounds-- which are edibles, gummies, things like that. So that is currently legal. And getting a doctor's recommendation is also currently legal. And as I attempted last night to give doctors a little bit of peace of mind for the recommendations by way of helping them actually provide these recommendations for folks. But people are still getting them in other states that have a more established system. So South Dakota has a out-of-state medical cannabis card. I can tell you this: I've seen it myself. And so-- but the, the statute as currently written, the ballot language that is now in the statute, is relatively unclear about what a

doc-- what form a doctor's recommendation should take and, and has to take to be in compliance. It says a doctor in their judgment-- doctor, nurse practitioner, nurse, all those-- medical professional, health care pra-- per-- practitioner-- in their judgment on the balance outweighing the, the side effects and in the interest of alleviating symptoms or, or providing care. So they-- in their judgment, has to meet all those things. Has to give a written recommendation that is good for up to two years or whatever length the doctor says, which of course could be more than two years, could be less than two years. So that is the current state of the law. And-- but with that ambiguity, a doctor could write that on just about any piece of paper and it could just be written. These ones from other states look like driver's licenses. They are formal, state-issued cards. So-- but in the vacuum that we have left, someone can get a recommendation on a piece of paper, which-- here's where the problem comes in with law enforcement, is if an officer has no guidance or training and they come into contact with somebody with a bag of 4.9 ounces of cannabis flower-- which I'm guessing is fairly large. Senator DeKay could probably describe it for me. Yeah. I'm thinking a gallon bag, ziplock bag or something. As Senator DeKay said, depends on how big you roll the joints. But it would be a sub-- a, a substantial amount of flour to be sitting on the front seat of the car. They come into contact with somebody and they say, no, no, no. I have a, a doctor's note. And they pull out a piece of paper that just says, you know, Doctor-- you know, Dr. Nick has signed this saying that I have an ailment that this would help with. And now I have that. Don't we all think an officer would be-- in their good judgment, would think, maybe I should arrest this person? But this person could be very much in compliance with the statute. So we're putting that person in danger and putting the officer in danger by not taking up the-- by law enforcement not taking up a robust education of law enforcement. But we also need to educate the public about how to interact with officers and to make clear that they are doing it in the right way and not getting combative. Because it is understandable that the officers might not know. And if somebody comes and you think, I'm in compliance with the law, officer's harassing me, that can become an elevated situation. So this is all relevant to Chief Waugh because he and I talked about this in that hearing. He is on notice of this being an issue. He is, is intending to address it as one of his first acts when he gets there. And so I appreciate that about him, but it is something that our other law enforcement entities should be taking care of as well, because they are putting law enforcement at risk. They are putting citizenry at risk. And this is currently the state of the law. So I encourage your green vote on Chief Waugh. And thank you, Madam President.

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DeBOER: Thank you, Senator Cavanaugh. Seeing no one else in the queue. Senator Sanders, you're recognized to close on the committee report.

SANDERS: Thank you, Madam President. I now ask you for your green vote of an exceptional candidate, of Bryan Waugh for superintendent of the State Patrol. And I'd also like to thank Senator Clouse and Senator Cavanaugh for your comments. And please vote green for this candidate. Thank you, Madam President.

DeBOER: Thank you, Senator Sanders. The question before the body is the adoption of the confirmation report from the Government Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 43 ayes, 0 nays on the adoption of the committee report, Madam President.

DeBOER: It is adopted. Mr. Clerk for the next item on the agenda.

ASSISTANT CLERK: Natural Resources Committee reports favorably upon the appointment of Jesse Bradley as the director of the Department of Water, Energy and Environment.

DeBOER: Senator Brandt, you are recognized to open on the confirmation report.

BRANDT: Thank you, Madam President. The Natural Resources Committee advances Jesse Bradley for the position of director of the newly merged Department of Water, Energy and Environment from July 1, 2025 at the pleasure of the governor. Colleagues, we are all familiar with the workings of the department that has merged the Department of Natural Resources into the Department of Energy and Environment. Mr. Bradley appeared before the Natural Resources Committee on Wednesday, May 21, 2025 and was advanced for your consideration the same date. Mr. Bradley currently serves as the interim agency director of the Nebraska Department of Energy and Environment and has been serving as the deputy director of the Department of Natural Resources since 2017 and worked with the Department of Natural Resources since 2006, including coordination of natural resource projects as a supervisor from 2013 to 2016. Colleagues, I ask for your green vote to confirm Jesse Bradley as director of the Nebraska Department of Water, Energy and Environment.

DeBOER: Thank you, Senator Brandt. Seeing no one else in the queue. Senator Brandt, you're recognized to close on the confirmation report. Senator Brandt waives closing. Question before the body is the confirmation report adoption from the Natural Resources Committee. All

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those in favor say aye-- vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 40 ayes, 0 nays on the adoption of the report, Madam President.

DeBOER: Committee report is adopted. Mr. Clerk for the next item.

ASSISTANT CLERK: Madam President, Natural Resources Committee reports favorably on the appointment of Matthew Manning as chief water officer of the Department of Water, Energy and Environment.

DeBOER: Senator Brandt, you're recognized to open on the confirmation report.

BRANDT: Thank you, Madam President. The Natural Resources Committee advances Matthew Manning for the position of chief water officer for the Nebraska Department of Water, Energy and Environment from July 1, 2025 and continuing at the pleasure of the governor. Colleagues, we are all familiar with the workings of the department that has merged the Department of Natural Resources into the Department of Energy and Environment. The chief water officer has responsibilities over items connected to the previous Department of Natural Resources. Mr. Manning appeared before the Natural Resources Committee on Wednesday, May 21, 2025 and was advanced for your consideration the same date. Mr. Manning is a licensed civil engineer and attorney in the state of Nebraska. He has worked in the engineering and construction fields for over 40 years. Currently, Mr. Manning is employed as a senior project engineer with the Nebraska Department of Natural Resources. Colleagues, I ask for your green vote to confirm Matthew Manning as chief water officer for the Nebraska Department of Water, Energy and Environment.

DeBOER: Thank you, Senator Brandt. Seeing no one else in the queue. Senator Brandt, you're recognized to close. Senator Brandt waives closing. The question before the body is the adoption of the confirmation report from the Natural Resources Committee. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 39 ayes, 0 nays on the adoption of the committee report.

DeBOER: The committee report is adopted. Mr. Clerk for the next item the-- on-- on the agenda.

ASSISTANT CLERK: Madam President, the Natural Resources Committee reports favorably on the appointment of Joshua Andersen to the Nebraska Environmental Trust Board.

DeBOER: Senator Brandt, you are recognized to open on the committee report.

BRANDT: Thank you, Madam President. The Natural Resources Committee advances Joshua Andersen for reappointment to the Nebraska Environmental Trust Board, representing Congressional District 3 for the six-year term from March 2025 to March 2031. The Environmental Trust Board was created in 1992 and is composed of three appointees, ea-- from each congressional district to represent the general public. The mission of the Environmental Trust is to conserve, enhance, and restore the natural environment while complementing existing activities, stimulating private investment, and emphasizing long-term gain. Each appointed member shall have demonstrated competence, experience, and interest in the environment of the state. Two of the citizen appointees shall also have experience with private financing of public purpose projects. The board hires an executive director who hires and supervises other staff members as may be authorized. The Game and Parks Commission provides administrative support for the board. Mr. Andersen appeared in person at the Natural Resources Committee hearing on May 21, 2025 and was advanced by the committee the same date. He has a passion for conservation and is committed to conservation and agriculture and was knowledgeable about the workings of the board and the role of the Environmental Trust, having already served on the board for several years. He currently serves as chair of the board's legislative committee. Mr. Andersen resides in Edgar, Clay County, Nebraska. He is an ag producer and an engineer. The committee received online comments from proponents. There were no opponents or testifiers in the neutral. Colleagues, I ask for your green vote to confirm Mr. Andersen's reappointment to the Nebraska Environmental Trust Board.

DeBOER: Thank you, Senator Brandt. Senator Storer, you're recognized.

STORER: Thank you, Madam President. I just rise in support of the appointment of Josh Andersen to the Nebraska Environmental Trust Fund Board. I've known Josh for several years. Not only is he a man of integrity, very articulate and intelligent, but, as Senator Brandt said, he is an engineer by training, has been back in Nebraska running his family's farming operation for several years now. Served as chairman of the NET Board at, at one time, so certainly provides great leadership skills, is very knowledgeable about the resources--

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conservation and resources here in the state of Nebraska. And I would ask for your green vote to support his reappointment. Thank you.

DeBOER: Thank you, Senator Storer. Senator Cavanaugh-- Machaela, you are recognized.

M. CAVANAUGH: Thank you, Madam President. Would Senator Brandt yield to a question?

DeBOER: Senator Brandt, would you yield?

BRANDT: Yes.

M. CAVANAUGH: Thank you, Senator Brandt. So the Environmental Trust was in the newspaper recently that there's going to be a lawsuit because of the budget that we passed. And it's-- I'm just curious what this individual-- if, if that was addressed at all in their hearing or how they're going to handle that.

BRANDT: I know Senator Conrad asked him that question, and he, he is aware of that. They are waiting to see what the repercussions of that are. Currently, the director has moved on from the Environmental Trust, and they are working to replace a director for that agency right now. But as for the disposition of the lawsuit, there was no direction given yesterday.

M. CAVANAUGH: OK. Thank you very much. I appreciate it. I yield the remainder of my time, Madam Chair.

DeBOER: Thank you, Senator Machaela Cavanaugh. Seeing no one else in the queue. Senator Brandt, you're recognized to close on the Natural Resources confirmation report. Senator-- Senator Brandt waives closing. The question before the body is the adoption of the Natural Resources committee report. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 35 ayes, 0 nays on the adoption of the report.

DeBOER: The report is adopted. Mr. Clerk for the next item.

ASSISTANT CLERK: Madam President: Select File, LB530. First of all, there are Enrollment and Review amendments.

DeBOER: Senator Guereca for a motion.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate May 22, 2025

GUERECA: Madam President, I move that the E&R amendments to LB530 be adopted.

DeBOER: Colleagues, you've heard the motion. Those in favor of adopting the E&R amendments vote aye-- say aye. Those opposed say nay. Those, those in favor say aye. Those opposed say nay. The E&R amendments are adopted.

CLERK: Madam President, Senator Spivey, I have MO214 with a note that you'd withdraw. Senator Spivey, I also have MO215 with a note that you'd withdraw. In that case, Madam President, Senator Bosn would move to-- or, would request a withdraw and substitute of AM-- FA151 for AM1489.

DeBOER: Without objection, so approved. Senator Bosn, you are recognized to open.

BOSN: Thank you, Madam President. So colleagues, AM1489 is the work of a lot of hours of meetings and phone calls and back-and-forths and efforts to try to come to a place as close to a consensus as we can possibly get. I want to start by thanking Senator McKinney, Senator Spivey, and Senator Dungan for working with me to try to accomplish that in a very re-- what I would describe as a very respectful and thoughtful process. They outlined their concerns, and some of them I thought were valid, and so we made concerted efforts to try to accommodate those concerns as best as possible. So I'm going to go through what some of those concerns are, talk a little bit about them, and I'm go to yield the remainder of my time to Senator Spivey. So the changes that we made in the previous version, juveniles who were be-- the language was high-risk juvenile offender. And Senator Spivey had some concerns that we were categorizing those juveniles and targeting with the language and requested that we describe the type of probation that we were providing them rather than the type of youth that needed those services. And so we originally came up with supervi-- intensive supervised probation-- subsequently learned that's already defined in statute, so we couldn't use that-- and then ultimately landed on comprehensive supervision for those juveniles and felt that that describes the type supervision we were providing them and rec-- while recognizing that there are some youth in the juvenile system who needed more comprehensive services. Those supports can include therapeutic services, educational and vocational assistance, family engagement, mentorship, and behavioral interventions. So I, I think-- I thank her for her work on that. And that is one of the probably most significant changes that was in there. The other large concern that was raised by the opponents was surrounding the detention of juveniles less than 12.

And so in an effort to try to come to a place where we could-- we felt we were still keeping the public safe but also listening to those concerns, we fine-tuned the language as it relates to juveniles, ma-- essentially creating a separate category for detention factors for individuals who are 11 and 12, adding that essentially all placement options would need to be exhausted before seeking detention. That is to say, if there is a temporary, alternative placement option or an intensive therapeutic group home, we went through what all those lists were. Senator McKinney found that list. We went through it and tried to accomplish what we thought was an additional guardrail for those who were now eligible to be detained, certainly as a last resort. So I appreciate their willingness to at least have those conversations even though I think she probably would still rather that section come out. I don't want to put words in her mouth. The other portion of this that changed-- Senator McKinney had some concerns that there were individuals-- juveniles who were system involved-- what we were calling dually system involved. Juveniles who were found to be adjudicated as a child whose parents had either abused or neglected them in one way, shape, or form, who were a system involved with the Department of Health and Human Services, who had subsequently become system involved due to a law violation, and that there was a real lack of right hand and left hand communicating about what services were and needed to be provided for those juveniles. And so we added some language that would essentially help make sure everyone is talking-- the right hand and the left hand-- so that it's in the best interest of the juvenile, and I think we accomplished that as well. So colleagues, what I will tell you is I filed AM1489 as a showing of good will for the work that we've done. I think Senator Spivey will also acknowledge that we worked really hard on this amendment. It's not everything I wanted. It's not everything she wanted. My understanding is that we're going to structure the debate today such that we'll take up a vote on AM1489. She has a couple of floor amendments, and so does Senator McKinney, that they are wanting to talk on and address because some of the concerns that we weren't able to agree on in this amendment they still would like to have the opportunity to talk to the body about. And so I don't think that's in-- I don't think that's outside the realm of what we all agreed to was fair debate on this. So I will support those conversations. But I will ask for your green vote on AM1489 and ultimately on LB530. And with that, I would yield the remainder of my time to Senator Spivey. Thank you, Madam President.

DeBOER: Thank you, Senator Bosn. Senator Spivey, you are yielded 4 minutes, 48 seconds.

SPIVEY: Thank you, Madam President. And thank you, Chair Bosn. I do want to echo Chair Bosn's sentiments that we have worked really intensely over the last, I don't-- it feels like months, but I think it's, like, two and a half weeks around this. Senator Bosn-- Chair Bosn was absolutely committed to having conversations, hard conversations. We did not all agree. We tried to figure it out. I appreciate the work of Senator McKinney and Senator Dungan, who had some opposition to parts of the bill to doing research. Senator Bostar absolutely participated in the conversations to bring points of view. We talked to agencies that were impacted, community organizations that were on the front lines. And so while there are still some things that give me heartburn and a little tension, I appreciate the process because I think the process is, is just as important as the product that we put out. We are trying to solve for something that cannot be solved yesterday or within this bill. We are talking about the complexities and the impacts of juveniles who are either system impacted or at risk of becoming system impacted at the juvenile level and potentially as adults. And so this is serious, this is important, and a lot of the kids that we are naming are from my district, are from my community, and look like me. They look like my little boys. And so I don't take this lightly. I take a lot of responsibility and care in this. And I absolutely feel like all of the folks that have stake in this conversation have been committed to being at the table and having those conversations. And I do really appreciate Chair Bosn and how she has showed up and demonstrated her commitment to being in conversation and partnership not just now but in the future. So we have also talked about what does this look like in the interim. How do we follow the impacts of this bill? How do we continue to communicate with stakeholders? Because again, we bring a certain point of view and perspective that is finite and binary, right? And so we have to make sure that we are-- if we say we care about this, that we are committed to the marathon, not the sprint; that it's not just about this policy, but it's about the kids. It's about our kids being successful, being able to get the services that they need to be successful kids and adults, that we are thinking about the implications and family integration and commitment to them as well. And so Chair Bosn has also been committed to continuing the conversation post-LB530 and AM489. And what does that look like in the interim and also next session, which I immensely appreciate. And so she kind of mentioned some of the areas already where there were still some concerns. I think, for me, I talked about the super predator language and what does that mean to create labels because of the amount of youth of color, specifically black youth within our juvenile system. I am gonna pass-- the pages are gonna pass out an article-- they're making copies now-- just around the

racial inequities with detention and probation and what does that look like, which mirrors our numbers here. And so just as a point of reference, in 2023, there were 7,864 youth that were arrested, put on probation. 29% of those arrests were property crimes. 1.3% arrests were weapons. 2.2%, violent crimes. Out of all of those numbers, 24% of those arrested were black youth while only making up 6% of the population between the ages of 10 and 17 years old. So there's a disproportionate representation of black youth within our system that we have to talk about. And again, that's the upstream solutions that I've been talking about since we've been debating this bill, is that we have to talk about the reasons why this is the experience and not think about punitive consequences as our answer but really reform and rehabilitation and services that allow for a different experience. And so-- I know my time is almost up. I have a motion that I'll get up and talk a little bit more about to finish those thoughts. And then I think we will move to the amendments because they have subsidence. They are important. And I think it adds to what Senator-- Chair Bosn has done with AM1489. Thank you, Madam President.

DeBOER: Thank you, Senators Bosn and Spivey. The Clerk-- Mr. Clerk for the amendments to the committee amendment. The amendments to the amendment.

ASSISTANT CLERK: Madam President, Senator McKinney would move to amend with AM1539.

DeBOER: Senator McKinney, you are recognized to open on your amendment to the amendment.

McKINNEY: Thank you, Madam President. My amendment-- I got two. Trying to see which one this is. One second. But-- I know what it, it deals with. My amendment deals with making sure that information in lists that involve these youth are only shared with certain individuals in law enforcement, which are captains, deputies, and chiefs or someone similar, like in a sheriff's office or other precincts across the state. Because what I don't want to happen is for just a wide array of law enforcement officials to be able to access this data and this information in these lists. So I brought this amendment and another one to just clarify that only certain individuals depending on their rank are able to see these lists and see this information, primarily for protection of the youth and protection of the information. Because at the end of the day, regardless of why they are in the system, they are youth. And we need to protect them as much as possible to make sure that information about them isn't just widely-- readily available for just anybody to access. And I just wanted to ma-- clear, clear it up so

that it's clear that only certain individuals are able to access this information. One second. AM1539. OK. Yeah. So-- because we're dealing with a, a new category of what we're calling these youth, which is comprehensive supervision probationers. And the list shall only be provided to officers designated by the agency who hold the rank of captain, deputy chief, chief, sheriff, or equivalent position or rank. I think this is honestly, fair language. It's, it's not saying that the information cannot be shared. It's just saying who can access this information. Not just the regular patrol cop should be able to just, you know, access this information. And if it needs to be shared, it needs to start from a certain level, and that's why I brought this amendment. I would hope for your support because information about youth is, you know, highly sensitive in a lot of ways, especially youth who have been adjudicated and-- you know, when-- once they age out of, you know, the, the juvenile system, it's important to make sure that-- let's say they success-- successfully complete probation and, and follow all the, the guidelines and those type of things. It's important to make sure that that's not held over their head for the rest of their lives and that this information isn't just shared with everybody. So that's why I brought this amendment. And the amendment says that on or before the first day of each month, the Office of Probation shall generate a list of juvenile probationers designated as comprehensive supervision probationers under Section 17 in this act in each county and provide such list to each law enforcement agency with jur-- with jurisdiction. This list shall only be provided to officers designated by the agency who hold rank of captain, deputy chief, chief, or sheriff, or an equivalent position or rank. And the reason why I tailored it to just the individuals who are considered or designated as comprehensive supervision probationers is because all we heard is 84% or 85% of the youth on probation are successful. It's this 14% to 15% that, according to some people, is causing all the issues. And if this-- and if we're creating a category to deal with that 15% to 14%, then it should just be tailored to them. And that's why I brought this amendment. And I would hope for your green vote on this. And I-- I'm willing to answer any questions as well. Thank you.

DeBOER: Thank you, Senator McKinney. Turning now to the queue. Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. Colleagues, I do rise today in favor of AM1539 and I believe also in favor AM1489, but still hesitant on LB530 even if that AM is adopted for a number of reasons that we'll talk about a little bit here this morning and, and maybe a little into the afternoon. I don't anticipate this becoming some sort of filibuster. I think the conversation that we're having right now is

some legitimate debate. And I want to start by similarly thanking Chair Bosn of the Judiciary Committee as well as Senator Spivey and Senator McKinney, who have both been tirelessly working on this bill to try to get to some place where we think that the bill and the underlying changes being made don't have a negative impact on justice-involved youth. Even taking a step back from that, though, I want to remind my colleagues that LB530 has a number of components in it, some of which are potentially problematic for some and not for others. But where we're focusing right now is specifically as it pertains to juvenile in-- juveniles that are involved in the justice system. And, you know, big picture, I think the concern that we should always have is, are we overcorrecting? And when you have conversations with our friends in law enforcement and when you talk to folks who are working for the courts, you will hear individualized stories that are alarming. And those alarming stories I think are valid and I think they are-- they're legitimate and they're things that need to be addressed. But my concern always comes into play when you have the pendulum swing too far in the wrong direction. We as a Legislature over the last really decade have been calling in experts. We've been bringing people to Nebraska who are objective, third-party sources that are nonpartisan to come and analyze our courts and our justice system and our laws to determine what we can do to make things better. And when I say better, what I mean is more efficient for taxpayers, not overcrowded and so we have systems-- correctional par-- departments that are completely packed to the gills, and safer. The underlying concern always in these conversations is community safety. And is what we're doing for a lot of these problems, is it actually addressing community safety? And what we have found is that when these people come in and they analyze our system, they see that the laws here in Nebraska prior to some of the changes we've made were going in the wrong direction. They were resulting in people being incarcerated at high rates, certainly disproportionately high rates-- as being talked about already by Senator Spivey and by Senator McKinney-- but not getting a benefit for that incarceration. And when I say a benefit, what I'm saying is you're seeing higher recidivism, you're seeing jails and prisons become more and more crowded over a period of time, and you're seeing more people get wrapped up in specifically the juvenile justice system and then ultimately increasing their recidivism rates and going back into jails and back into prisons, which cost the taxpayers dollars. So rather than having upstream investments, rather than actually putting our money into the kinds of things that make people's lives better and actually prevent crime, what a lot of folks found when they came in and looked at the Nebraska justice system was that we were instead funneling our money into Band-Aids. We were putting our money into putting out the fire instead

of preventing the fire in the first place. And so over the last decade, we've seen a slew of changes that have been made. Some have been good, some have been bad, some were well-intentioned, others, I think, you know, maybe missed the mark. But what we've done is we have made an effort as a body prior to any of us being in here to try to improve the outcomes of our justice system. And one of the things that I think we should be looking at in addressing these issues is, are we actually creating a safer community by addressing the underlying problems that get people in trouble in the first place or are we just being punitive because it makes us feel better? And what we know from all of the data, from all of the science that you can find is that a juvenile that gets involved in the justice system-- especially at a young age, but at any age-- if you're a juvenile involved in the justice system and especially if you spend any time in custody or detention-- regardless of what we call that detention-- it has an impact both on your brain development and it has an impact on your likelihood to recidivate in the future, or commit more crimes. So my concern is that the underlying language that was contained in LB530 was seeking to continue that trend. My hope is that some of the language in AM1489-- and certainly the language contained in AM1539-- seek to correct that slightly, and that's why I'm supportive of that. But I think that we as a body need to continue to be concerned about whether or not we are investing our money where it belongs and are we actually ending up with safer communities. We cannot overcorrect.

DeBOER: Time, Senator.

DUNGAN: We have to solve the problem. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Senator Spivey, you're recognized.

SPIVEY: Thank you, Madam President. And good morning again-- I guess we're still morning-- colleagues, folks watching online and on TV and joining us in the Rotunda. I hope folks-- I know it's been a long, exhausting week. And I hope folks, no matter where you are, if you're not on the floor, that you are still engaging in this, because, again, we put a lot of effort and energy into bringing different perspectives together and putting forward really intentional amendments to, again, try to create a circumstance that really centers the, the people that are most impacted, which are the kids. So in my earlier remarks before my time ran out, I was talking about some of the, the racial impacts and what does it look like. But also wanted to just uplift again where we were and the importance of ensuring that we have practices that are evidence based and really support reform and rehabilitation. So-- Senator McKinney mentioned this. When you look at the, the percentage

of the kids that we are talking about and why this bill was proposed, I think it was twofold. I don't want to speak for Senator Bostar-- and as he has represented to me, the, the original bill that we were talking about-- which I think was LB684-- was about juvenile probation being moved to the executive branch. It's not working. Things are happening. There is not trust necessarily there, so it needs to be moved. They had their hearing and their process. Then there was this kind of new bill put forward in this committee package that took in parts of Senator Riepe's bill around the age changes for detention, which lowers that. Then them-- it did not move the, the juvenile probation from the courts but put these parameters around kids that they feel like are having major criminal law violations while on probation. And so the conversation that we have had with our colleagues that are in support with the agencies that are impacted are around a couple key factors too that the kids that are on or become on probation or on supervision are also within our child welfare system. They are the responsibility of the state. And so when I talk about that this is a comprehensive, systemic issue, it's because these kids are within systems that we are responsible for. The state are, are responsible the care and well-being of the kids because they are in out-of-home placement because something about their family dynamic does not allow for them to be successful there. So they are removed. They're already within our system. And now they have committed a law violation that puts them in a position to be on supervision or potentially detention. And so there is a handout. And the pages are so great. I think I always need to uplift that too. They will get these copies made. They will run these-- the, the information out to folks so quickly. And it's really helpful to have that support, so I'm, I'm really appreciative. And they just handed out a report that shows what does it look like for kids that are dually system involved on the HHS side as well as now probation, because I think that is a part of the conversation. And so we worked with Chair Bosn to really address-- if we're saying this 15% that Senator McKinney talked about that this bill is really aimed at addressing, let's look at the full picture and scope of their experience and their environment and what services that they are being provided and who is responsible. Right? Who is responsible for ensuring that services are happening, that they are successful, that they're being monitored? If there needs to be adjustments, it's happening. And so what we've tried to do in the bill is also address the communication and the, the responsibility of what does that look like. And so I don't think that we can just say, hey, this falls directly on the courts. These kids are on supervision because they're also within the child welfare system. And so we try to touch on some of that, which was a little bit difficult to do within our purview and this bill, but I think is an important part of the

conversation because, again, there are a number of factors that ensure the kids' success that I don't think are being named or that we can look at. And so there are evidence-based models that I will get back in and talk about before we move off of this amendment that shows how you can look at that reform and take account into the different agencies that may be holding the responsibility and care of the kids that we are talking about. The, the two reports, one is-- was done by a nonprofit organization and another was done by a governor's association. Thank you, Madam President.

DeBOER: Thank you, Senator Spivey. Senator Bostar, you're recognized.

BOSTAR: Thank you, Madam President. I rise in opposition to AM1539 and in support of AM1489 and LB530. These-- the, the-- there's sort of two components, as I see it, to this amendment. One is limiting which probationers have information being provided and the other limits to which law enforcement officers information is provided to. There are some-- and, and, and Senator McKinney, Senator Bosn, Senator Spivey, Senator Dungan, and I have-- we've, we've had conversations around these, these, these particular points, certainly, and so it's not-- you, you know, there's-- I think there's no surprise in, in this. And our positions have sort of been consistent. The, the-- couple of challenges here. One is when it comes to which probationer information is being provided, I think one thing that I, I hope folks will, will keep in mind is that if a juvenile is picked up by law enforcement currently, arrested, detained, what ha-- what have you, they, they currently have to wait while law enforcement makes a determination about their, their status-- their, their probation status, for example. And so-- that takes a lot of time. That's, that's more time that the law enforcement officer is having to spend on something that may not matter. And it's also more time that the, at that point, detained individual is having to spend in detention, even in, even in a temporary basis, sitting in a, in a police car, potentially. And that, that actually seems problematic to me. I think by having the-- by having information readily available, we are able to provide better opportunity for these kinds of interactions to go more smoothly and take less time. And I think that's in everyone's interest. The other component here of, of where this information is shared with respect to whi-- which kinds of law enforcement officers, there's, there's a few challenges. One certainly is that not every law enforcement agency's rank structure would correspond in a way to what this amendment proposes to where it would really work well. And the other problem-- and, and probably a more significant problem-- is that the information be provided through the NCJIS system, which is that networked information system that law enforcement officers have access to in

their vehicles. And there isn't a way to sort of firewall portions of the information provided by individuals in the system to officers based on rank. And so while-- I, I understand the arguments here. I understand the intent of this, but it's-- unfortunately, it just-- it wouldn't work. And so for those reasons, I stand opposed to the pending amendment, AM1539. Thank you.

DeBOER: Thank you, Senator Bostar. Senator McKinney, you're recognized.

McKINNEY: Yeah. I yield my time to Senator Spivey.

DeBOER: Senator Spivey, you're yielded 4 minutes, 35 seconds.

SPIVEY: Thank you, Madam President. So I did want to just follow up to one of the comments from Senator Bostar about the access to information. So I like to always just double-check and say like, OK. Someone tells me this, let me, let me verify. And so I actually talked to a police department, a chief, and I asked to speak to their data person around how does NCJIS work and what does that look like. And you actually can limit the information access through something called user groups. And so they already have user groups within their system, and it was verified with the data person who works in NCJIS-- which is the software that he's talking about where the information is accessible-- that you can limit how that information comes in and who has access to it. And so I do think, yes, we want information to be readily available and we want to make sure that we are doing it in a way that protects our youth and is intentional. And so this is the conversation that we had as a kind of negotiation group around this. I think there are some elements that we agree to disagree on, but the tactical nature of the accessibility, there is a difference. I have verification from the person that manages NCJIS and that information that you can do user groups. They can create some of those firewalls to ensure that it's someone with higher discernment-- hopefully emotional intelligence-- that can then say, let me access this information and then get it to the people that it needs to be in a way that, again, honors some of the concerns of why AM539 is being presented. And so I wanted to revisit some of the evidence-based practices that I was talking about earlier and around why you'll see these continued amendments. And so, there is a study that was put out that looks at how do you really center yourself and reform as a state. Like, what do those policies look like? What does rehabilitation really mean? And out of that report, they specifically say that in order to see incarceration change for young people, there's two sets of complementary forms that need to happen. First, it will require far greater use of effective alternatives to incarceration programs for youth who have committed serious offenses--

so these are the folks that we're talking about in this bill-- and might otherwise face incarceration. Second, it will require extensive reforms to state and local youth justice systems, most of which continue to employ problematic policies and practices that can undermine the success of alternative programs and often lead to incarceration of youth who possess minimal risk to public safety. And so what the argument-- and I feel like, again, what we have talked about here are ways that we can center reform that say, yes, you may have committed a more serious offense. What are the services and support that you need that are different than detention or incarceration-- because that just institutionalizes our kids and gets them ready for adult prison-- and then what does it look like for kids that don't have as serious offenses-- maybe need some supervision, but it's really around their supports? And so what they talk about are credible messen-- messenger mentoring programs. So people that have been system impacted, have gone through these experiences are now the people on the front lines working directly with this-- with the youth. They talk about investing in advocate and mentor programs, which are super important. They talk about family-focused, multi-dimensional therapy models, such as MST, FFT, functional family therapy, and then specifically trained therapists who follow detailed protocol to identify and confront factors that propel a young person toward delinquent behavior, with a heavy focus on working with family members to support youth success. So that's that family integration piece. I know this bill is not up, but we talk about Senator McKinney's family resource center and what does that look like. Again, these are upstream practices that really will address the core root issue that we're talking about. They also say that there needs to be cognitive behavioral therapy, restorative justice interventions, and then wraparound programs with a care coordinator for individualized plans. And so the amendments that you will see coming up will continue to address that.

DeBOER: Time, Senator.

SPIVEY: Thank you, Madam President.

DeBOER: Thank you, Senator Spivey. Senator Machaela Cavanaugh would like to recognize 41 kindergarten through eighth graders from Omaha Memorial Adventist School in Omaha. Please stand and be rised by your Nebraska Legislature. Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. To pick up where I left off before, I wanted to continue talking a little bit about the, the large swaths of what it is we're trying to do here. So juveniles obviously have

different brain development. We all accept that, right? At this point, that is commonly accepted. The U.S. Supreme Court has ruled in multiple cases over the last couple of decades that it is precedent now to take into consideration juvenile brain development. And I said this on the first round of debate-- I want to say it again because I think it's important for the record and for those who are listening. Senator Holdcroft had a fantastic symposium in the interim before the session started, I think-- or maybe right after session started-- where they brought in brain scientists and doctors to come talk about the way that juvenile brains develop. And, you know, in this body, we often talk about kids' brains aren't developed until they're, you know, 20, 24, whatever number you want to pick. But what I found really fascinating about that conversation was that it's actually more nuanced than that. Brains develop over a period of time. And as they develop, they actually develop and mature in different areas. And so there are certain parts of your brain that have different impacts on your ability to understand certain things, like your ability to understand right from wrong. And then there's other parts of your brain that make it so you are better able to determine whether or not the actions that you are choosing are going to have a long-term consequence on your life. And so, for example, you know, the part of your brain as it develops at a young age will tell you it's right or wrong to steal a cookie from the cookie jar, right? You may know that you're not supposed to steal a cookie from the cookie jar, but you may not be able to fully understand the consequences that your decision is going to have. If you take that cookie from the cookie jar, you may not fully comprehend the gravity or the impact of the situation with regards to getting grounded for a week or two weeks. And that's a really, you know, sort of benign situation, but when you apply that to juveniles who are making decisions that can affect their entire life, it gets a lot more significant. And we as a body oftentimes will say things like, oh, this 16-year-old made a choice. And they made a choice. And because they made that choice, they knew right from wrong and they should be punished. Well, that is a really rudimentary way of looking at it, and it's allowing our emotion and it's allowing our, you know, sort of inner demons to influence our decisions that we make instead of our better angels by virtue of the fact that we just want to be ye-- yelling at the kid. We want to tell them they messed up. We want to slap them on the wrist. We want to punish them. But the reality of the situation is that all science, all science shows us that if a juvenile makes a decision-- serious though it may be-- they do not comprehend, physically-- their brain is not developed. They don't comprehend the gravity, the weight, the significance of the decision that they've made. And so for us to balance that with community safety, with ensuring that people are not

repeat offending, to ensure that our streets are safe for everybody is our task. But my concern, I think, big picture about what of-- a lot of the efforts that are being made here today are is we swing too far in the wrong direction. We think to ourselves, we see a couple of bad situations-- again, very serious situations-- so we have to correct the whole sys-- system. Colleagues, I would propose to you that a juvenile who does even a serious offense is still a juvenile. And the entire reason that we have a juvenile justice system is that kids are different. We know kids are different. We accepted that. So just because a kid does a thing that you don't like more than another thing that you don't like does not mean that you should treat them like an adult. And it does not necessarily mean that they have any better cognitive understanding of the impact that's gonna have on their lives. And what we also know is that when you detain kids, especially at a young age, it impacts that brain development. It slows it down. They're much more likely to repeat that behavior. And so on the first round of debate, we heard some conversation about how detention is kind of like a pause or a timeout. But again, the studies don't support that. Science tells us that when you detain a kid, especially a young kid, an 11-year-old, it's gonna change their life. So I want to be very cognizant of that when we make these decisions. And we need to be precise with the choices we make in this body. And I, I fear we are using a hammer when a scalpel is, in fact, the tool we should be using in these circumstances. So again, colleagues, I rise in favor of AM1539. There's a couple of other changes I know we have coming down the pipeline. I was just talking with Senator McKinney and Senator Bosn about that, but I do appreciate folks paying attention to the conversation today after what has been a very long week. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Senator Spivey, you're recognized.

SPIVEY: Thank you, Madam President. I yield my time to Senator McKinney.

DeBOER: Senator McKinney, you are recognized for 4 minutes, 50 seconds.

McKINNEY: Thank you, Madam President. And thank you, Senator Spivey. Would Senator Bostar yield to a question?

DeBOER: Senator Bostar, will you yield?

BOSTAR: Yes, I would.

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McKINNEY: I wasn't in here, but I think you said you were not in support of AM1539, and I'm trying to understand why.

BOSTAR: Yeah. And, and I did rise in opposition to AM1539 for a number of reasons. One is that, currently, when it comes to-- when we're, when we're dealing with questions of what juvenile information is shared with law enforcement and which law enforcement officers it's shared with, the challenge becomes that ultimately the law enforcement officer involved in an, in an interaction with a juvenile is going to seek and obtain the information about that juvenile's probation status. And so without providing the information upfront, we are just creating a scenario where both the officer and that juvenile are having to wait an extended period of time in a, let's be honest, in a less than ideal scenario. And I think it's better if we have these kinds of interactions go smoothly and as quickly as possible.

McKINNEY: Do you not understand the delicacy of information of youth? And the reason why I brought this is because, one-- I disagree with the list wholeheartedly, but if we're going to have a list, I don't want just any cop to be able to access information of these youth. I don't see why it's so hard or difficult for a captain, a deputy chief, a chief, a sheriff, or somebody equivalent to, to, to have access. I don't see what's wrong with that. And I get what you're saying where a, a cop on the street don't know if somebody's on probation. OK. But even so, we-- I don't-- I fundamentally don't believe that every cop should just have a list of kids-- just walking around with it, pretty much. Like, I think if you limit it to certain designated officers or law enforcement agents, then I think that's a better compromise, because just a blanket ability for these people to access this is-- I see as a huge problem.

BOSTAR: And, and I understand. And, and we've had this conversation. To me, it-- this isn't changing ultimately what's going to happen. When there's, when there's a, a law enforcement interaction with a juvenile, that officer is going to determine whether or not that juvenile's on probation. This just simply allows that to happen more quickly. You know, it isn't-- I suppose I'm, I'm not necessarily quite sure what the, what the concern--

McKINNEY: I guess the concern is rogue cops, cops with a agenda, cops that are on the street who are not the best individuals. That's my concern, because my reality is there are cops like that on the streets. And allowing them to have this type of access allows them to be malicious in a lot of ways, po-- potentially. That's why I brought this. I'm not saying just no to the list, because I think that ship has

sailed. What I'm saying is at least just allow it for captains, deputy chiefs, chiefs, sheriffs, or somebody equivalent to, because the fear. And I don't know if you understand that or kind of comprehend that, but there are people out there who don't do the right things that are on the streets that are in law enforcement. And I need you to understand that. And that's why I brought this.

BOSTAR: Yeah. Well, thank you for that. I, I-- you know, when there's an interaction, identity of the individual is determined, and from there that lookup process would give this information versus waiting for it. What I-- what I'm not un-- what I'm not sure of-- and if you have information, please provide it-- is what would a, a hypothetical rogue law enforcement officer do with that information in their database? I mean, would they just be looking up kind of random names to see if someone's on probation?

McKINNEY: Yes. Or provoking them to cause them to be in violation of probation.

DeBOER: Time, Senator. Senator Machaela Cavanaugh, you're next in the queue.

M. CAVANAUGH: Thank you, Madam President. I rise in support of AM1539. So I have brought legislation in the past to create an integrated data system for system-involved youth that would be a collaboration between DHHS and Corrections and the Department of Education. And in doing that, I have learned a lot about data, data sharing, and privacy and concerns. So I understand why Senator McKinney is bringing something like this. And I have concerns as well about any changes to data sharing about youth in our state. So would Senator Bostar yield to a question?

DeBOER: Senator Bostar, will you yield?

BOSTAR: Yes.

M. CAVANAUGH: Thank you, Senator Bostar. So I-- listening to-- you answered a lo-- some of my questions when Senator McKinney asked you. But I guess my, my biggest question is, because-- to your point, they're going to get the data. But this could be viewed as a, a starting point. And if we go with Senator McKinney's amendment and set up this process that's maybe slightly more restrictive than they like and see how it goes-- and if it's not working, we could expand it back to your original concept. But I'm very concerned any time we change data sharing. Does that-- so is that something you would entertain?

BOSTAR: I, I think that what's proposed in Senator McKinney's amendment is not that functionally different from the way it works right now, which is different than how it used to work. Right? So it used be that the data was readily available. And then for, I-- a, a number of hard-to-follow reasons between the courts, crime commission, NCJIS, different, different elements of the data got sort of cut off, right, from, from those systems.

M. CAVANAUGH: And did that happen legislatively or through the courts?

BOSTAR: It-- neither, frankly. It, it, it happened through a-- what I would characterize as a different interpretation of existing laws. So it isn't like there was something that's-- there wasn't a trigger of, of a court decision or a statutory change that made that happen. It was how things were being interpreted. And right now, officers can get the information on whether or not someone's on probation. It just takes longer. And that individual that they are trying to determine that information on has to stay in some sort of, you know, temporary custody detention until that's determined. And that's not better for anyone.

M. CAVANAUGH: Sure. But I guess to Senator McKinney's point that this being weaponized by-- I hate this term, but I guess bad actors-- being weaponized by bad actors-- so what safeguards are in the legislation to, to identify when that happens?

BOSTAR: Well, I think considering the fact that any law enforcement officer could get that information now, just taking more time--

M. CAVANAUGH: But there's-- they-- taking more time, there's layers, right? They have to get approval to get it?

BOSTAR: Not necessarily approval. They just have to get in contact with the people to tell them yes or no. So it's not like it's-- you know, there isn't a-- there isn't, like, a review process involved here. You know, if they--

M. CAVANAUGH: How do they get the-- so-- can you walk me through how they get the information now?

BOSTAR: So essentially, they have to contact probation and ask, is so-and-so on probation?

M. CAVANAUGH: OK.

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BOSTAR: And the-- it isn't-- there isn't more, like, question of, well, what is this for? Right? There, there, there-- we're not talking about a system that has checks on it.

M. CAVANAUGH: Sure.

BOSTAR: It's just a system that currently takes more time.

M. CAVANAUGH: If a particular individual is, is calling and asking a lot-- if someone's, like, going through, asking about a bunch of people, like, every day, asking about another person and another person, that would be a red flag to probation. So that would-- in and of itself is a check on whether or not somebody is abusing the access, is it not?

BOSTAR: I, I mean, I think it could be.

DeBOER: Time, Senator.

M. CAVANAUGH: Thank you. Thank you for--

DeBOER: Thank you, Senator Machaela Cavanaugh. Senator McKinney, you're recognized.

McKINNEY: Thank you. And it's-- yes, part of my issue is the potential for a nefarious cop. The other issue is for-- somebody could-- a officer could just be sitting at his desk and just scroll through these kids' files for no reason at all. And, like-- because I just got a text and I just saw a story that somebody was killed in my district by the sheriff's office today, this morning. And I think what is being missed and I need for people to understand is the relationship between young black males and law enforcement officers is not always the best. Those interactions are not always the best. How they perceive young black men is not always the best. I feel like that is being missed for convenience for police. But the-- we're, we're talking about lives here. On all sides. You could say we need to access this stuff so the youth don't do this, this, and that. But also, there's another side to it where we need to also make sure that, you know, people aren't just using this information to, to harm or potentially harm or to create situations where harm can occur. That's what I need you to understand. That is why I brought the amendment. I don't see why it's so difficult for these lists just to be allowable for captains, deputy chiefs, the chief, the sheriff, or somebody equivalen-- equivalent to. Convenience doesn't work for my community. And I don't know why you-- I, I don't-- I, I can't understand why you don't understand that. Just because it's more convenient for police don't mean it's-- it-- it's-- it doesn't

create potential harm or have unin-- potential unintended consequences. That is all I'm saying and why I think AM1539 and AM1540 should just be attached. It's-- I don't-- I, I just-- I don't know. The more I talk about this the more frustrated I get. Maybe because I just got a alert that somebody was killed in my district by law enforcement. I don't know. But the, the-- I need you to understand the deepness in which-- why I brought the amendment and where I'm coming from as a colleague. The convenience for the police doesn't always result in the best outcomes for young black men. That's what I need you to understand. These things can be weaponized, and have been. Lists about people have been weaponized. I've ended up on a list as somebody to watch because I was, I was at a protest before. As a senator. So this is why I need you to understand and why I would hope and I would-- thought you would support this. And, you know, somebody talked about Mar-- we talked about Martin Luther King. And it just reminds me-- and I'm going to paraphrase, it's like we're in times where we need people to be real allies, people that are really going to stand for, you know, things that are just. And convenience for police does not work for my community. And it never has. And I need you to understand that. And if you don't, we could have further conversations. I'm not trying to make their lives harder. I'm trying to make sure more lives don't get lost. Thank you.

DeBOER: Thank you, Senator McKinney. Senator John Cavanaugh, you're recognized.

J. CAVANAUGH: Thank you, Madam President. Well, I rise in support of Senator McKinney's amendment. And I'm-- I guess I'm a little confused as why this is a question. I'm reading Senator McKinney's amendment that says-- I'll make sure I'm on the right one here-- AM1539. Yeah. On behalf-- or, on or before the first day of each month, the officer-- Office of Probation Administration shall generate a list of juvenile probationers designed-- designated as comprehensive supervised probationers under Section 17 of this act in each county and provide such list to each law enforcement agency with jurisdiction. The list shall only be provided to officers designated by the agency who hold the rank of captain, deputy chief, chief, or sheriff or an equivalent position or rank. So that's an amendment to Section 22. I'm just trying to go back to Section 22 here to see what that is amending, but that seems reasonable to me. And as Senator McKinney was saying, that, you know, the law is not meant-- it's not meant to be convenient, necessarily. OK. The original says, on or before the first day of each month, the Office of Probation Administration shall generate a full list of all juvenile probationers in each county and provide such list to the law enforcement agency within the jurisdiction. So really, the

change is that it's provided to higher ranking officers-- so just specifying what their officers are-- and then it specifies, I think, that they have to be-- the list of the juvenile probationers is the comprehensive supervised probationers. So-- puts two constraints on it. I, I understand the, the desire to have this information readily available. I, I do. And as Senator McKinney was saying, that would be convenient to have a list of everybody provided. But, as he is also correct, lists can be misused, you know. It's-- and it's not ne-- I don't think it's intentionally misused. I think it's that if you have, like-- it's, it's, it's may-- maybe not laziness, but it is just ease when you have this list of folks as kind of your usual suspects, or, you know, where you're, you're going to go first. And so then when you start just overinvestigating or looking at folks, you're going to start finding things to prosecute them for. So I know everybody knows that people break the law in small ways all the time. I'm sure a number of people broke the speed limit today on their way here or jaywalked maybe on the walk over. And those are the types of things that, you know, people do all the time. But if you are on probation and you break even the smallest law, it can be a, a cause for a violation of probation, which then results in more system involvement and can result in incarceration. And so that-- there, you know, are innocent ways in which people interact with the world, not causing harm, not causing-- not with malice that, when we overpolice, we start to incarcerate people because of those small things that other people are also doing and are not really causing that much damage to society. Not saying people should speed. Not saying people should jaywalk. Not saying any of those things. What I'm saying is that other people do it, and then there are communities in our state that are-- people are being locked up for doing the exact same thing that people in other communities are doing. It is a racially disparate impact, meaning that-- specifically, Senator McKinney's community in north Omaha is-- has more people being prosecuted for these smaller things than, say, my community in central Omaha. And there's other distinctions besides the geography there, and it's the racial makeup of our two districts. And so this-- the concern that he's articulating here is that this is another step where we are continuing to overemphasize enforcement on folks who are disproportionately black and brown, and that leads to more people being incarcerated that are doing the exact same things as people in other communities. So this is a small step to just say, let's not put everybody on this list and let's make sure only higher level officers have this list. So it seems like a small, reasonable compromise that Senator McKinney's put forward here in terms of constraints on this flow of information. They're still getting a list. Still being provided. It's just being provided to a captain--

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DeBOER: Time, Senator.

J. CAVANAUGH: Thank you, Madam President.

DeBOER: Thank you, Senator Cavanaugh. Senator Juarez would like to recognize a special guest: Linda Spencer, under-- of Omaha underneath the south balcony. Please rise and be welcomed by your Nebraska Legislature. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Madam President. It-- I-- yeah. I'm, I'm very much in support of L-- AM1539. I think that there needs to be restricted access to information about youth writ large. And system-involved youth definitely needs to be-- have restricted access. And just echo the sentiments that this would be convenient, but convenience is not what we should be trying to achieve. Good governance, good policy, protecting kids-- that's what we should be doing. So if Senator McKinney would like, I will yield my time to him.

DeBOER: Senator McKinney, you're yielded 4 minutes, 15 seconds.

McKINNEY: Thank you, Madam President. And thank you, Senator Machaela Cavanaugh. Again, the-- AM1539 does not say law enforcement agencies can't have this list. Again, as I will state, that ship has sailed. All I'm trying to do and attempting to do with this amendment and the other amendment I have is to say who can have access to such list. I don't understand how that is such an issue. You know, their convenience cannot be at the-- at, at the expense of our youth. We like to believe that, you know, there aren't bad apples in law enforcement and-- or people who may or may not do the right things on time. But the reality is different. And all this is attempting to do is limit the list to who can acc-- who could access it. I don't think that's a big hill to jump over or a hurdle. I honestly think it's a fair, you know, AM. And I'm kinda, kinda, like, lost as, as to why there isn't support for it. I think whenever we can make legislation better, we should do it. And whenever we can make sure that we're thinking about all who would be impacted by such legislation, we should consider it. And-- so it's, it's kind of wild to me that it's-- there's an automatic no because of a lack of convenience, essentially. Again, we're talking about interactions with law enforcement and people in the community. These interactions are not always the best. They're not. It's just a fact. Especially with youth. I've been targeted before. I've been randomly stopped and searched. I've been through the gamut of things where they pull you over, pull you out the car, search the car for guns, don't find a gun and say, oh, you could go, but don't give you no citation. I've been through it multiple times. I've been stopped walking. Get,

get, get on the wall or stand right there so we can search you. I been through it. I know what happens. I talk to-- I work with youth. I work with kids. I know it still occurs. And just allowing people to just freely access things like this can have negative impacts and negative outcomes. I don't know why that's not understood. Because it can happen and it will happen. So all I'm asking is for your green vote for AM1539 to say that only captains, deputy chiefs, sheriffs and somebody equivalent to them can, can access this list. I don't think that's a big ask. Because we're not talking just about the convenience for law enforcement. We're talking about the whole and the whole-- and how the whole is impacted, especially our youth. Thank you.

DeBOER: Thank you, Senator McKinney. Senator Conrad, you're recognized.

CONRAD: Thank you, Madam President. Good afternoon, colleagues. I rise in support of my friend, Senator McKinney's, amendment that is on the voar-- board in regards to LB530. So I wanted to just perhaps broaden the lens or provide some additional context for some of the most hotly contested components in the measure related to juvenile justice. So let's not forget to ground this conversation in the realities and our shared values as Americans when interfacing with the criminal justice system. The presumption of innocence is real, and it matters and must be respected. Treating young people as young people in terms of the criminal justice system or a separate juvenile justice approach is truly noncontroversial. Well over a hundred years ago, before the development and establishment of a juvenile justice system, young people were detained in adult jails and processed through adult courts. And there were a host of negative outcomes as a product of that shared system. Reformers came together across the country to develop a separate juvenile justice system, for good reason, that treated young people in a different way than we treat adults accused of serious crimes in particular. So as the development of juvenile justice systems and courts came to fruition, there emanated a great degree of disparity in terms of impact and outcome. And there were a host of decisions from the United States Supreme Court in the '50s and '60s that brought uniformity and more due process rights to young people in juvenile justice systems. Fast forward then to the 1980s, 1990s where you see, as part of a response from politicians in regards to increasing crime rates, you also see more punitive measures enter into the juvenile justice system, things like mandatory sentences or automatic transfers. But then in the 2000s, we see crime rates recede in Nebraska and across the country. And we see-- we enter into a new period of juvenile justice reform, just like we have adopted in Nebraska. And the statistics show us-- not just the hard cases-- the statistics shows us that our reforms are working. And it's not our opinion. It's from the

data. It's from chief justices of the Nebraska Supreme Court telling us that reforms instituted by this Legislature in regards to our approach for youth justice are working. It's helping to keep recidivism down, which keeps us all safer, which is the goal of both systems. So, yes, there have been tough cases, hard cases that we need to think about carefully, but we can't divorce those cases from the overwhelming weight of the data and trend towards reform which shows juvenile justice reform is working. We need to look carefully at that and lean into that. And I appreciate the call to action from my friend, Senator McKinney, because he's 100% right. If you care about justice, you have to care-- you don't get to pick what kinds of justice. Economic justice, juvenile justice, racial justice, gender justice-- they're intertwined. If you care about having a better, fairer system that works better for individuals and society, you have to push back against efforts to unwind justice reform, which is at the heart of these measures. Thank you, Madam President.

DeBOER: Thank you, Senator Conrad. Senator Andersen, you're recognized.

ANDERSEN: Thank you, Madam President. Would Senator McKinney be willing to yield for a question?

DeBOER: Senator McKinney, will you yield?

McKINNEY: Definitely.

ANDERSEN: Thank you. Interesting dialogue, interesting with the different perspectives. One of the questions I, I had was, have you given any thought to or consideration to looking at more than one list? For example, I can understand if you have somebody that's a violent offender that may be on one list versus somebody who's a nonviolent or inconsequential offense may not be treated the same when they run into them. So have you thought about separating into different lists based on what their offense was?

McKINNEY: Before I drafted this, I thought about that. But from everything that's been described to me, this bill and this amendment is trying to target the 14% to 15% of youth that, for whatever reason, people feel like are out of control. And if that is the case, then limit it to that list. If 84% or 85% of the rest of the youth on probation are successful, there isn't a need. The, the reason for Senator Bostar's AM and the bill was to target the 14% or 15%. So that's why I wrote my amendment the way I did.

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ANDERSEN: All right. Thank you very much. I yield the rest of my time, Madam President.

DeBOER: Thank you, Senator Andersen. Senator Spivey, you're recognized. And this is your third opportunity.

SPIVEY: Thank you, Madam President. Of course my email goes off of what I need. So I wanted to just really quick uplift. I support AM1539. And I know we're about to get a vote on this, but just wanted to uplift an email that we just received from Corey Steel, Nebraska's State Court Administrator. Part of their work covers the conversation that we're having today around juvenile probation. And with the governor's veto, there's a number of things that would be impacted, but there will be a \$5 million reduction for nonstatutory services for juveniles on probation and a reduction in the reburse-- reimbursement of many vital placements. And so I just want to be clear when we're talking about the implications of how these systems work together, what policy we pass here, what we are saying is needed and demonstrated to show rehabilitation, to show that kids are not going to have-- recidivate and go back in, that they're going to be successful, that we are not actually fully resourcing the work. If people do not have resources, then it doesn't matter. And so I just want to be clear as we are about to vote on a number of amendments that are integral and important to the conversation around juvenile justice and reform that we have to ensure that there are also dollars that support the work that we are saying is needed. If we're saying that there's an issue for kids that are having these new criminal law violations that are serious offenses and they need more services, we have to resource those services. We cannot say and mandate that that happens at the courts and say, oh, and then you figure it out. So I just wanted to uplift that because that email just came in. I think everyone should have that in their inbox, but wanted to make sure I put that on the record before we have the vote on AM1539. Thank you, Madam President.

DeBOER: Thank you, Senator Spivey. Seeing no one else in the queue. Senator McKinney, you're recognized to close on your amendment.

McKINNEY: Thank you, Madam President. Interesting conversation. And I'm receiving emails from people saying I'm right. And one that I'll highlight is someone-- I won't say their name-- they stated that being on a list leading to great-- will lead to greater scrutiny, more intense frequency of interactions, and the like. Not to mention causing a biased interpretation of youth behavior because they are on a list. Can cause problems that otherwise would not have occurred, as I've stated. If a youth on the list-- is on a list, there is a greater

expectancy of trouble and some might interpret neutral actions as more threatening or of illegal intent. I don't think y'all understand that. You know, I was just talking to Senator John Cavanaugh about the city of Omaha's gang list that you could just randomly end up on if you're just at a family function. Literally. You could not have no involvement in gang activity, but if you're pictured with a family member who may be in a gang or something like that, you end up on this list. So then when you get pulled over, they look you up and say, oh. So-and-so is in a gang when he's really not in a gang. And I don't think people understand what that means or what could happen in those scenarios. And trying to limit this list to just captains, deputy chiefs, and chiefs, or sheriffs or somebody equivalent to I don't think is a big hurdle to jump over. I don't think it, it should be a big issue. We shouldn't be looking for a convenience. We should look for doing the right thing and thinking about everybody. Because no matter if you feel like these youth are doing bad things, they're still humans. They are still people who should be treated with respect and should be treated with some type of dignity. We're put-- you're, you're already putting them on a list that is gonna make them stigma-- like, they're going to be stigmatized. That is a guarantee. That is a fact that cannot be erased. All I'm saying is limit the access to the list. I don't understand why Senator Bostar would say he's against that. It makes zero sense to me. And I have another amendment after this that deals with the same thing. And we could continue the conversation on that one too. But overall, there should be support for this. Because when we're passing laws, people al-- people always tell me, Senator McKinney, you talk too much about your district. Why you always bring up your district? Think about the rest of the state. So if I can't have a one-track mind, neither should anyone else. We should think about everybody, right? Or don't bring up that-- why you always bring up your district? There's other parts of the state. And with that, I just hope to get your green vote. Could I get a call of the house and a roll call vote?

DeBOER: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 21 ayes, 0 nays to place the house under call.

DeBOER: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Armendariz, Senator Fredrickson, Senator Hallstrom, Senator Clouse, Senator Lippincott, Senator Kauth, Senator Hughes, Senator Strommen, Senator Storm, Senator

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Hunt, Senator Hansen, please return to the Chamber and record your presence. The house is under call. Senator Fredrickson, Senator Hughes, Senator Hunt, please return to the Chamber and record your presence. All unauthori-- or, unexcused senators are now present. The question before the, the body is the adoption of AM1539 from Senator McKinney. There's been a request for a roll call-- there's been a request for a roll call vote. Mr. Clerk, please call the roll.

CLERK: Senator Andersen voting no. Senator Arch. Senator Armendariz voting no. Senator Ballard voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen voting no. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting no. Senator Rountree voting no. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen voting no. Senator von Gillern voting no. Senator Wordekemper voting no. Vote is 14 ayes, 33 nays, Madam President.

DeBOER: The amendment is not adopted. I raise the call.

CLERK: Madam President, Senator McKinney would move to amend with AM1540.

DeBOER: Senator McKinney, you're recognized to open on AM1540.

McKINNEY: Thank you, Madam President. And thank you, colleagues, for your vote. Many of you voted on the amendment and I don't even think you were in the room to pay attention to it or engage. I brought the amendment because we need to limit access to lists like this because they can be used in the wrong way. And AM1540 does the same thing as far as limiting the list and making sure that law enforcement agencies create a user account or user group for the designated officers to exce-- access such data, which, contrary to what has been stated, is able to happen. You know, Senator Bostar isn't the one with law

enforcement contacts. And we've talked to people and they said that user groups can be created in the system. So that's why I ask you for your support on this. And-- I don't know, man. It's, it's kind of frustrating that commonsense things just get shot down because of who brings them or the inability for people to just not pay attention and understand what's happening and understand the, the potential unintended consequences of having lists like this readily available for law enforcement officers and, and the potential hazards that, that that could present. But, you know, many of you haven't had-- I don't know. Maybe you have-- I won't say that-- but this, this issue is a issue that I have to deal with daily in my district, of interactions with law enforcement that don't always go the right way. I've had people call me about-- I was talking to a mother the other day who had her house raided and it was the wrong house. Literally. Bust her windows, pointed guns at her, at her, at her grandkids and her daughter. And at the end of it, they're at the wrong house. Those are the concerns that I get and the things I think about and why I brought the amendments, because of negative interactions. Maybe y'all don't care. Maybe y'all don't. And as far as y'all votes, it proves to me that y'all don't care. But I care. And it's hard for me to empathize and be sy-- and, and just even think about other places across this state or other districts and say, this is so important to my district. We can't let this happen. Or, we have to do this. But when I say something is important to my district and to the people I represent, it falls on deaf ears every time. This is important and is, is really-- I don't know. I don't want to say disheartening because-- it is-- but at least it's eye-opening because we're at the end of session and I-- I'm-- always like to know and understand the room and being able to read the board and being able to know who I'm working with. So going forward, I have full understanding of who people are and what they stand for and what they don't stand for. So for me, it's enlightening because then you formulate, you know, a, a way around it, a way to navigate it. So it, it is what it is. But most importantly, you should support this. You really should. Because the, the information and the data of youth is highly sensitive. You're putting them on a list that if given-- or, if put in the wrong hands can have a negative impact-- and will if somebody choose to. They could be targeted. And, you know, somebody on probation, if they have law enforcement interaction, that is a violation. They have to report to probation that, I had interaction with law enforcement. And let's say they're on this list and the only reason they had interaction with law enforcement is because they were directly targeted. So they're getting violated just because. And I don't see why y'all don't see that as a issue or, or a potential hazard of not addressing the issue at all. So I-- it's, it's kind of-- I don't know. It's-- some days I wake up, and

it's like, where am I at? Like, are we on the same planet? Are we in the same state? Are we in the same country? I, I, I really think about that a lot, because I don't find peace in the Legislature. I find peace when I get in my car and I go home. I find peace at home. But when I, when I come in here, it's not peaceful. Because it's tense. It-- we've been dealing with issue after issue after issue all session. And the ability for these type of lists to be created will not allow for me to sleep, sleep well at night. I won't. Because I'll think about the youth in my community that are going to be affected by this. So I won't have peace. And, you know, it's been stated that, as a black man in America, you're never at peace, especially if you're aware of what's going on in the world and society. So I'm-- I may never find peace while I'm on Earth. And maybe that is what it is and I'll just-- I've learned to live with it. But I just don't understand how somebody can vote no on that last amendment. And I would hope that you vote green on this amendment because it tightens this up and makes sure that those who need access get access. I don't see the issue with that. I don't see how anybody can stand up and say something's wrong with that outside of saying we need more convenience. Convenience doesn't work, because it, it has too many unintended consequences, which has, which has been overlooked for far too long. So I would hope to get your green vote so at least we could do something to tighten this up. But I'll listen to the conversation if people choose to get in. Then people vote no and never state their opinion why. They just vote no to vote no all the time. And it, it is what it is, but. Thank you.

DeBOER: Thank you, Senator McKinney. Turning to the queue. Senator Machaela Cavanaugh, you're recog-- oh. Sorry. First, we're going to make an announcement.

CLERK: Thank you, Madam President. Announcement: the General Affairs Committee will start its nominee hearing 15 minutes after adjournment. General Affairs, 15 minutes post-adjournment of today's session. That's all I have at this time.

DeBOER: Thank you, Mr. Clerk. Now we're turning to the queue. Senator Machaela Cavanaugh, you're recognized.

M. CAVANAUGH: Thank you, Madam President. I appreciate that the room is emptying once again so that we don't have to listen to what we're trying to accomplish here. We don't have to have take our jobs seriously. We can just vote straight party lines. Please don't ask me for anything. Just stop. If you're going to legislate without thinking, then don't ask me to help fix mistakes that you all are making. People literally voted red on that amendment, didn't listen to the debate at

all, didn't have any idea what it was. Probably didn't even know if Senator Bostar supported it or not. Or Senator Bosn until they saw the vote. But it was Senator McKinney's amendment, so there you have it. I don't know if it's what party he belongs to or the color of his skin or both, but you should really be reflecting on how you're doing your job. We're talking about sharing data about youth. That's what we're talking about. We're talking about options to perhaps make this stronger legislation, stronger, sound public policy. That's what we're talking about. I don't know what you all are doing. You're physically here, but you're not showing up for work. It's shameful how you vote. It's shameful how little thought and consideration you put into anything you do in this place. And then you need me. And you need Senator McKinney. And you need Senator Spivey. And you need Senator Juarez. And you need Senator Rountree. And you need Senator Guereca. But you don't need them enough to treat them like equals. And everybody in this place wants to be so nice all the time. I want to recognize what injustices are happening in this Chamber. I want to speak truth to power to my colleagues and say, you are targeting members of this body because of the color of their skin. And those of you that sit by and watch it happen are just as complacent as Senator Andersen and Senator Kauth are. Those of you that don't say anything to them-- you don't push back on them when they ask Senator McKinney every single time to yield to a question. Every single time. And we all know what it's about. Thank you, Madam President.

DeBOER: Thank you, Senator Cavanaugh. Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. Good morning-- oh, no. Good afternoon, colleagues. I rise today in favor again of Senator McKinney's amendment. I understand some of the concerns and issues that have been raised, I think, logistically with regards to the systems that are utilized by officers and the access that is permitted, but I guess this is an issue that I think is important enough for us to address as a Legislature that we shouldn't shy away from it by virtue of a computer system not necessarily complying with the law. So we've run into this problem before, where there have been certain bills that have been brought. And the pushback that we've received, for example, from our, our court system is that our, our database that we utilize in order to access information and to store information isn't equipped to do the thing we, by law, are saying we want to do. So for those who don't know, we utilize an online database system called JUSTICE. And JUSTICE is, at this point, getting to be relatively antiquated. It's pretty old. There's been a lot of talks in the Supreme Court's address to the Legislature over my three years here that we need to revamp

JUSTICE and we need to update the system and it's going to cost a lot of money. But one of the things that has always kind of, like, stuck in my craw is this idea when I bring a bill or when somebody else brings a bill to do whatever, that we get this pushback that says, well, JUSTICE can't do that, so don't change the law to make it do that. My response, trying to be as respectful as possible, is, well, we can always change the database or we can change the programming. Now, for those in the courts who are watching, I'm sure you're shaking your heads and saying, well, we can't just change JUSTICE that easily. And I, I understand that. But saying the computer system that we've opted in to use isn't equipped to handle the law that we have seems not like a reason to not do the right thing. It seems like a, a reason to change the system. So in talking on the last amendment-- obviously, with Senator Bostar-- we've had this conversation in the meetings that we had leading up to this amendment and other amendments. It, it was represented-- and I believe legitimately-- that the systems are ill-equipped to handle what we're requesting of them. NCJIS, you know, other acronyms, and whatever the systems that we use, simply, as explained by some, don't do these things. I know that in talking with some other senators it sounds like that maybe there's been some disagreement about what the systems are or are not equipped to do. But even if we assume on the face of it that these systems are unequipped to do what we're asking them to do, my belief is that means we should try to fix the systems or find a system that does work. What Senator McKinney's trying to accomplish-- and I'm gonna put words in his mouth, so he can correct me if I'm wrong-- is the idea that we don't want juveniles to be, to be painted with this negative connotation automatically and we don't want their status as a juvenile probationer or something of that effect to just be readily known to everybody. Because when you have that sort of status precede an actual interaction, it colors the way in which law enforcement talks with you. Speaking about the gang lists and other things like that, when you are on a list, it can and does alter and change the way that law enforcement has an interaction with you. And I'm not always saying for the worse or for the better, but it does affect their interactions. And you know from looking at some of these databases and these systems that they also are able to see known affiliates a lot of times, right? So, like, I run a license plate, that license plate comes back and it's Senator Moser. And then it then says, you know, known affiliates of Senator Moser, and it'll show their names and identification and things like that. So there's already this pretty intricate database which can sometimes, as we've talked about with the gang units, create these interactions that are colored by maybe a preconceived notion that somebody is dangerous or that somebody is gonna be a problem or that somebody's gonna be violent. And when a, when a juvenile starts with

that sort of facade and any patrol officer has access to that information, it can and likely will create a different interaction between the two. And what I want to avoid, and what I think everybody wants to avoid for both the safety of the community and the safety of law enforcement, is an escalation. And the more that these interactions can remain calm, the more that these interactions can remain grounded in the issue at hand, the better it is for the entire community from a safety perspective. So I think that AM1540 represents a pretty measured approach. I think it represents effort on behalf of Senator McKinney to come up with a good explanation of the potential ways--

DeBOER: Time, Senator.

DUNGAN: --to change this. And I think it's a good amendment. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Senator Hughes would like to recognize some special guests: Margaret Mary Traffas, her children, nieces, and nephews from Kansas and Nebraska. They're located in the north balcony. Please stand and be recognized by your Nebraska Legislature. Senator Juarez, you're recognized.

JUAREZ: Thank you very much, Madam President. Before we close today, I did want to get on the mic to show my support for Senator McKinney's amendment of AM1540. I think the reality is it's an-- it's unfortunate that he has identified a need of this nature in our law, law enforcement agency. And with all of my federal experience, I can guarantee you that privacy was always stressed so strongly. I mean, especially with all the years that I worked for Internal Revenue Service. That was even much more closely watched, your actions and files that you would enter into that really was not a case that you're handling. So the procedures were in place. Unlike, of course, what's happening today at the federal level with President Trump wanting to access those databases and people who have resigned in management because of wanting to access the data. I truly appreciate that. And I think that it is a good idea to have a mechanism like this in place for, really, a need-- a need to know. And it's un-- like I said, it's unfortunate that we have to go to this extent to try to provide more protections for our citizens so that their civil rights aren't violated. And that's why I'm supportive of the change that he is trying to make. I wish that our body would take the issue more seriously. Even though it's not affected you, let's think of what it is doing to our community and what part could we play to try to improve on the activity that takes place on our streets. And I, I hope that we will get this amendment passed because I think that it's a positive step in the right

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direction. And I'll yield the rest of my time to Senator McKinney. Would you like it? Thank you.

DeBOER: Senator McKinney, you are yielded 2 minutes, 20 seconds.

McKINNEY: Thank you, Madam President. Thank you, Senator Juarez. I think there needs to be some level of understanding here. All this is saying is police agency can create an account or user group for designated officers to be able to access this list. My-- hesitancy to, to not just go what-- what's in AM1489 is because of the potential for misuse. I was just speaking to Senator Bostar, and just-- I rem-- like, I know for a fact-- I've been at parades, for example, and I've seen police and state probation literally hunting people out the crowd who they think is on probation. And I'm not lying. I've, I've seen it. Chasing people throughout parades and events. So-- and if you want to see this in action, I would say come to the Juneteenth Parade, come to Omaha Days in north Omaha. And you will see this stuff happen. They're in their bulletproof vests and it says state probation, and then you got sometimes sheriffs or cops. And they're literally walking through the parade literally trying to find who's out there that's on probation that they know so they could target them and search them. I've seen it happen too many times. And I'm not lying. So I'm not just making this up, and I don't just ha-- I'm not just fearmongering. I've seen these things happen too many times. And I would appreciate your support to at least limit the access to these type of list. That's the least you could do. Thank you.

DeBOER: Thank you, Senator McKinney. Senator Bosn, you're recognized.

BOSN: Thank you, Madam President. Colleagues, I rise in opposition to AM4-- or-- excuse me-- AM1540. Respectfully, to Senator McKinney-- colleagues, I think two things can be true at once. If what Senator McKinnney is describing-- I, I don't know enough to tell him he's right or he's wrong, but I think he's sincere in his concern-- that is wrong. And-- to the extent that anything in this legislation sends a message that that isn't wrong or that that's less wrong, I will tell you right now I don't think anyone here wants that. But the other thing that's true is the communication between law enforcement, probation officers, and the courts has got to be improved. There are significant problems in communication. This legislation is an absolute attempt to fix those problems. And the amendment that Senator McKinney has brought in this particular case chips away at those efforts to improve that communication. What he's describing, if, if that's happening, is wrong. And it should be investigated and taken care of and addressed. Full stop. I still do not support this amendment. And if there are

additional things that we need to do to put safeguards in place to prevent what he describes, I'm all on board, and I'll work with him to do that. But the communication between those groups in the best interests of not only public safety but also these juveniles is to improve the communication between the individuals who are working with the kids. And that is the goal of this legislation. Thank you, Madam President.

DeBOER: Thank you, Senator Bosn. Senator Conrad, you're recognized.

CONRAD: Thank you, Madam President. Good afternoon, colleagues. So one point that I wanted to lift up because it has been a point for consideration in regards to this debate is the impacts of smart justice reform for our budgets and for taxpayer savings. So we talked a lot about this with Senator Holdcroft's amendment to the budget, which sought to preserve increases in funding for things like veterans courts and problem-solving courts, knowing that we get a better outcome in terms of public safety and taxpayer resources. We know, for example, that the smart justice approach to adopting a host of juvenile justice reforms in Nebraska has accomplished many of the same goals: cost savings and also better outcomes. Now, part of the discussion in regards to how these policy issues impact our budgetary matters was identified by the governor in terms of his concerns about how the court system's, judicial system's, judicial branches' budget has grown. And I, I was reading that communication and was thinking through another issue that had caught my attention when I was reading the Planning Committee's most recent report that talked a lot about budgets and taxes and kind of where we were with everything. And you can see from the Planning Committee's report exactly what we know to be true and I think what the governor was reflecting upon as well. You see a dramatic increase in state spending on corrections and courts. And at the same time, you see a lack of investment in things like human services and education. So whenever we pull back on modest but meaningful reforms that have made a difference, it undercuts our shared public safety goals, it has worse outcomes for the system-impacted individuals, and it costs taxpayers money. So that's part of the concern, of course, along with the technical aspects of this measure, the racial justice aspects of these measures, and the-- just kind of overall measures at hand which show, actually, youth crime on the decline. Crime in general on the decline. It was a huge part of the most recent mayoral campaign in Omaha. And my friends on the right made sure to lift up and praise Mayor Stothert for dramatic reductions in crime rate, for making Omaha safer, as reflected in the data and the lived experiences of those who live in Omaha. We have a very similar dynamic here in Lincoln. So we can't divorce this conversation from the reality. We can always do more

on prevention. We could always improve our systems. But we shouldn't just wholesale pull back from reform. Because if we continue in the same direction of continually expanding the net to ensnare more youth or more adults in the traditional criminal justice systems, it keeps those trajectories in our budget books and in our Planning Committee books moving in the wrong direction, where we're spending more taxpayer resources on criminal justice and corrections and courts and we're pulling back on education and health care. We, we really should be moving those through lines in, in different directions. So undercutting reform is something that we need to keep in mind in regards to the communications from the court and the governor, which I know all of us are carefully reviewing. Thank you, Madam President.

DeBOER: Thank you, Senator Conrad. Senator Dungan, you're recognized.

DUNGAN: Thank you, Madam President. I wanted to rise again in favor of AM1540 and speak a little bit to what Senator Conrad was just talking about and, and drill down a little bit into the practices that I think really do help create a better and safer community. So I think Senator Conrad and others are exactly correct. What we need to be doing as a state is investing our time and our resources not into punitive measures but rather into upstream investments that actually address the underlying problems that lead juveniles into situations where they maybe get in trouble or, or do something they're not supposed to do, which ultimately leads to them being on probation, which ultimately leads them potentially and, and, by all likelihood, increasing their recidivism rate over time. What we need to be investing in, colleagues, is an increase in behavioral health services, access to behavioral health, not just in Lincoln and Omaha and the Tri-Counties but in western and central Nebraska as well. We need to be increasing our access to things like substance use disorder treatment and making sure that people who are struggling with addiction have services that they need to actually get off of those substances to make an impact in their lives, which will then re-- reduce the, the live-- the likelihood of more recidivism when it comes to drug crimes. It's those kind of investments that we know make Nebraska a better place. And what I'm concerned by is the trend that I've seen in the Legislature since I've been here, which is to tighten the belt only in such ways that negatively impact those kind of services. And I think the problem is it's really easy, right? It-- it's really simple to cut those kind of services because the benefit that you get from them is not tangible. Right? When there's a thing that you can point to and say, you know, look at this lake that I built or look at this thing that got put together in my community. It's a tangible thing where you can say, that's the stuff that I did. And it makes it really easy to support it

because you can see the benefit of your labor. What's a lot more difficult, I think, to see the benefit of are these kind of investments-- in behavioral health services, in mental health, in, in substance use disorder because the benefit that you get from that investment is the lack of something happening. Right? It's that something bad doesn't happen. And so it's hard to point to it and say, look at that. And you can look at the numbers, right, when you run the data, but there's not a thing that you can say that's the, the, the benefit of the, the, the thing that I put into the budget. And so what we've seen is a desire to continue cutting the budget and tightening our belt, so to say, but doing so in a way that has systematically cut our budget to behavioral health services, that has systematically cut our budget to mental health services. I think the beha-- Region V here in Lincoln and the area-- surrounding area has seen their budget cut by millions of dollars over the last couple of years. Millions of dollars. And yet we as a Legislature continue to throw our hands up in the air and say, if only we could do something about mental health. You hear about the tragic story that happened just a few weeks ago in Nebraska that made national news, as a, as a mental health crisis is how it's being talked about and being framed. And I've had to answer questions from constituents and from other folks about what are we doing as a Legislature to address the mental health needs of people in the state, knowing that if we do address those needs it reduces the likelihood of negative impacts like crime or violence in our community. And I have to tell people when they ask me these questions that we're doing our best, some of us in here, but we're not investing in our communities. We're not investing our resources in treating the actual root causes of these problems. What we're doing is we're investing our money instead into punitive measures. We're investing our resources, hundreds of millions of dollars that we're burrowing away and putting into a little savings account to invest in a prison, for example, that is going to be full immediately. And so when your constituents ask, what are you doing for us? What are you doing for mental health services? What are you doing for our substance use disorder treatment? What are we doing for the people who are unhoused? If you look at our budget that we've passed this year, you see a systematic reduction in a lot of those services. And how is that relevant to what we're talking about here today? Colleagues, we're talking about juvenile justice and we're talking about trying to make our community safer and get to the root causes of a lot of these problems. What my fear is-- I see my red light, but--

DeBOER: That is your time. But you are next in the queue, Senator Dungan.

DUNGAN: Thank you, Madam President. I just wanted to be procedurally correct there. What we see with AM1489-- or, rather LB530 in its root form, is a bill that is simply a Band-Aid. It's not fixing the underlying problems. It's not addressing the upstream investments to actually make Nebraska a safer and better place to live. We can do that. We just have to make the decision. But unfortunately, because it's not tangible, it's hard for us to do that. Let me put this another way, colleagues. I served as a public defender for juveniles specifically when I first worked at the public defender's office. And so I was an attorney that was appointed to represent kids. And I represented children that were involved in the justice system for any number of reasons-- all the way from truancy to, you know, more law violation kind of things. I cannot think of a time that I didn't sit by one of the kids that I represented and have a conversation with them about their life and about where they came from where they weren't able to directly point towards systemic problems that had led them to that situation. Now, don't get me wrong. There were kids that made bad choices, like all kids do. And a lot of them took responsibility for it. And they understood that those problems were their, their issue to fix and they needed to take personal responsibility. And I, I loved that about them, is that most of them said, you know, I, I made a mistake and I want to try to fix it. But when you talked about their life, when you actually took the time to sit down next to these kids that we're talking about with LB530 and ask them, you know, what's your home life like? What's your parents like? What's your school situation like? The stories that you hear are really illuminating because you hear from them about the issues they have at home. You hear from them about some of the lack of supervision they have, not because their parents are bad parents but because their parents are working. You hear them about mental health needs that are unaddressed. I, I had a, a person that I represented one time who had incredibly serious mental health needs who was unable to get a diagnosis for the medication because her parents didn't have insurance so they couldn't afford for her to go to the doctor. And I think the allegation that she was charged with was that she had illegally obtained maybe, like, one pill of Xanax to help deal with some of her anxiety, which she had previously been clinically diagnosed with but couldn't get an updated diagnosis or a prescription because they didn't have insurance or money. So she was charged with a felony. So that's what I-- you know, I talked the other week about how one pill can lead to a felony. That's what I'm talking about. But it was all related back to these systemic problems. And then people say, OK. Well, you can point towards their parents, right? You can point towards their parents and say, well, these parents are bad people. They're the reason this is a problem. The

poor kid didn't do anything. It's the parents that are at fault. But you start talking to the parents and you try to find out what's going on in their life. I had a parent one time during a hearing fall asleep. And the judge was pretty upset. And they were like, I can't believe Mr. So-and-So or Ms. So-and-So would fall asleep during this hearing. But when you talked about it in court, turns out they'd worked the third shift and they'd just gotten off work on the factory line after they worked another job during the day. And they had to come to court at, like, 9 in the morning or something like that. So they dozed off. So these things where you're-- it's really easy to point towards the people that we're talking about when it comes to LB530 and say, you bad. You bad. We fix thing. We put in detention. But it's so much more complicated than that. And it's so much more in depth and nuanced when you actually talk to the families and talk to children. So what Senator McKinney is trying to accomplish here is chipping away, I think, at this systemic belief that the kids that we're talking about here are bad. We're trying to chip away at this preconceived notion that if you're justice involved as a juvenile you've done something wrong. What this amendment seeks to do is to take away some of that facade and instead address the kids as just children, which is what all of these people are that we are talking about. So colleagues, I would encourage your green vote on AM1540. I am supportive of AM1489, although there are certain parts of it that I don't approve of. However, even as adopted, I likely will not be supportive of LB530, as there are many portions of it that I think still are a hammer when we could be using a scalpel. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Seeing no one else in the queue. Senator McKinney, you are recognized to close on AM1540.

McKINNEY: Can I get a call of the house?

DeBOER: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 34 ayes, 1 nay to place the house under call.

DeBOER: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senators, would you please recheck in? Senator Guereca, Senator Ibach, Senator Strommen, and Senator John Cavanaugh, please return to the Chamber and check in. The house is under call. Senators Guereca and J. Cavanaugh, please return

to the Chamber and check in. The house is under call. Senator Dungan, you can't vote no to your presence. Senator John Cavanaugh, please return to the Chamber. The house is under call. Senator McKinney, all unexcused senators are now in the Chamber. You're welcome to continue.

McKINNEY: Thank you, Madam President. So AM1540, if you weren't in the room or not aware, it will state that only captains, deputy chiefs, chiefs, sheriffs, or an equivalent position or rank shall have access to these lists. The law enforcement agency shall create a user account or user group for each designated officer to access such data. As provided in this subsection, a law enforcement agency may designate law enforcement officers at the rank of captain, deputy chief, chief, sheriff, or equivalent position or rank who may receive such information. The law enforcement agency shall-- shall create the group, and the commission shall provide access to such information in a manner that ensures that such information is readily accessible through the designated user accounts or groups to authorized officers. This amendment does not chip away at anything. And to be honest, what's in the bill chips away at what's been in process to improve our juvenile justice system over the years. So this is not trying to chip away at any type of compromise or to try to diminish any type of conversations that has been taking place between probation, law enforcement, and county attorneys. What I am attempting to do and what I would hope that you would vote green for is to at least say if you're going to create this list, these are the designated individuals who should have access to this list. I don't think that's far-reaching and I don't think that's out of bounds. I think it's common sense because of the unintended potential outcomes that are being overlooked. Being on a list, period, is a problem. But at least if you're going to have this list, limit who can have just direct access to it. Yes, they still might share it. But at least limit or put up a barrier for direct access. That's what this AM attempts to do, is create some type of wall that doesn't allow just for a desk cop or any cop on the streets to just have access to these li-- to these lists. And it-- I don't see it as a way to, like, improve relations or improve the, the, the current way this is written to, you know, make it-- you know, those, those situations more-- well, the outcomes of those situations, to make them improve. Because I've seen the total opposite. I've literally witnessed on multiple occasions throughout my life state probation, for example, and law enforcement literally targeting people out of the crowd because they were on probation. I've seen it too many times to not even just sit here and say, OK. Let's just move on. I've seen targeting happen from police and probation. Police interactions lead to violations. People have to report this. So if somebody has this list and they're

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targeting somebody, now, bam, that person has to tell their probation officer that, hey, I had a interaction with a cop, which could lead to them being revoked from probation just based on that interaction of being targeted. And even worse, if they ar-- if they are being targeted because they're on this list, there could be negative outcomes. And you cannot look over the potential for negative outcomes when it comes to communities like mines, because they happen far too often. And that's why I would hope to get your green vote. At least create some type of wall that says only captains, deputy chiefs, chiefs, sheriffs, or somebody equivalent to them to have direct access to this list. I don't think that's asking for too much. Thank you.

DeBOER: Thank you, Senator McKinney. The question before the body is the adop-- the question before the do-- body is the adoption of AM1540 to AM1489. All those in favor please vote aye; all those opposed say nay. There's been a request for a roll call vote. Mr. Clerk, please call the roll.

ASSISTANT CLERK: Senator Andersen voting no. Senator Arch. Senator Armendariz voting no. Senator Ballard voting no. Senator Bosn voting no. Senator Bostar voting no. Senator Brandt voting no. Senator John Cavanaugh voting yes. Senator Machaela Cavanaugh voting yes. Senator Clements voting no. Senator Clouse voting no. Senator Conrad voting yes. Senator DeBoer voting yes. Senator DeKay voting no. Senator Dorn voting no. Senator Dover voting no. Senator Dungan voting yes. Senator Fredrickson voting yes. Senator Guereca voting yes. Senator Hallstrom voting no. Senator Hansen. Senator Hardin voting no. Senator Holdcroft voting no. Senator Hughes voting no. Senator Hunt voting yes. Senator Ibach voting no. Senator Jacobson voting no. Senator Juarez voting yes. Senator Kauth voting no. Senator Lippincott voting no. Senator Lonowski voting no. Senator McKeon voting no. Senator McKinney voting yes. Senator Meyer voting no. Senator Moser voting no. Senator Murman voting no. Senator Prokop. Senator Quick voting yes. Senator Raybould voting yes. Senator Riepe voting no. Senator Rountree voting yes. Senator Sanders voting no. Senator Sorrentino voting no. Senator Spivey voting yes. Senator Storer voting no. Senator Storm voting no. Senator Strommen not voting. Senator von Gillern voting no. Senator Wordekemper voting no. 4-- 14 ayes, 31 nays on the adem-- adoption of the amendment.

DeBOER: The amendment is not adopted. Mr. Clerk. I raise the call.

ASSISTANT CLERK: Madam President, Senator Dungan would move to amend with FA276.

DeBOER: Senator Dungan, you are recognized to open on your floor amendment.

DUNGAN: Thank you, Madam President. Colleagues, this is an amendment that has been agreed upon by Senator Bosn, and I want you just to sit tight because I think we're going to take a vote on it pretty quickly. I see people getting up and trying to leave. There is a portion of this bill that was included that was a Senator McKinney portion. It ultimately got some changes to it in this AM. There's been some disagreement about whether or not those changes are necessary and what the effect of those amendments would be. And so Senator McKinney, myself, Senator Bosn have all chatted along with stakeholders who are involved in this area and have agreed that taking it out at this time probably makes the most sense. And we can continue to work during the interim on seeing if there are any modifications that can be made to make this work. Essentially what it is is it has to do with something called post-conviction relief. Post-conviction relief is your ability to essentially have your case heard in court, for a number of different reasons, after you've exhausted all of your appeals. I have brought some bills about post-conviction relief. Senator McKinney has been a champion on the issue of post-conviction relief and trying to provide actual access. Nebraska has one of the most restrictive post-conviction relief systems in the country. So Senator McKinney's bill-- I'm sure he'll talk to it briefly here-- was attempting to modify that slightly. There were some proposed changes in AM1489. Having reviewed those and talking to experts in the field, there are simply a number of concerns that we have that the amendments make it more restrictive than it was before. I don't know if that was the intention or not, but long story short, we need more time to figure it out. So FA276 strikes that section and leaves the remainder of the AM on the board. So this would just remove that portion. And we can come back and talk about it during the interim and hopefully make some changes on post-conviction relief. So with that, I'd encourage your green vote on FA276. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Senator Bosn, you're recognized.

BOSN: Thank you, Madam President. And thank you, Senator Dungan. I apologize. I had somebody talking to me when Senator Dungan was talking. So at the expense of perhaps being redundant, I will rise and say I am in support of FA276. Colleagues, this is a unique situation. When LB530-- the committee priority package-- was put together, one of the conversations that I had with Senator McKinney was to put his LB44 into the committee priority package because I thought his goal was appropriate-- and I, I think it, it still is appropriate. The language

had to be changed. We had referred to the individual as a defendant, and they can't when it's post-conviction relief. There was other language that was, I think we can all agree at this point, added in an effort to effectuate what Senator McKinney was trying to do that is now being reviewed and perhaps is problematic. I think we can all agree that that part is true. We went back and forth on whether we try and fix the problem today, given time, and potentially then have to deal with problems down the road. And ultimately, the decision was made sort of in conjunction between Senator McKinney and Senator Dungan and myself of-- I will commit to continuing to work on this. His LB44 remains in committee. I am still supportive of his LB44. But that we would strike Section 10 from the bill, which I think is unfortunate because I think we made a lot of progress to try to get to this point. So it is not lost on me that I appreciate his position and the discomfort that it probably presents for him given the work he did. But if there are the concerns to the level that he feels there are, I will support his decision to pull that out of the committee amendment. There's been ongoing conversations on the floor-- and so I know some of you were in here when I've talked about it and others were not, so I'm going to use the rest of my time right now to go through the negotiated changes that were made with some of the interested parties-- to include Senator Spivey, Senator McKinney, Senator Dungan, Senator Bostar, myself, law enforcement, advocacy groups, county attorneys, defense attorneys. I mean, this was not a decision any one of us reached independently. And-- but I would like to go through what some of those concerns were, who raised them, and how we tried to accommodate them. If you look at AM1489, starting on page 28, there was language that allowed for the detention of juveniles for a variety of "demonstratable" reasons. And among them was threatening to cause-- in the previous versions-- threatening to cause harm to self. And Omaha-- the Omaha-- or, Douglas County commissioners and others raised concerns that including that would essentially place youth in detention when they were really suffering from a mental health crisis. And so we had multiple conversations, worked with the proponents and opponents, and removed the language that was "to self" from all portions of this bill. So it's not just on page 28, but that's the first page that I could find that previously included that language. So as a basis for detention for nonadjudicated juveniles-- which means in-- juveniles who have not been-- the allegations against them have not been found true-- detention must be a matter of immediate and urgent necessity for the protection of such juvenile as evidence by a demonstrable record of fleeing from law enforcement, absconding from a court-ordered placement, absconding from home, committing a violent offense, committing multiple property crimes, or threatening to cause harm to

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others. So we took out that language regarding harm to self as part of that plea agreement. You'll see that in multiple pages, but that was the first one. Then if you look to page 30 of AM1489, that is where Senator Riepe's portion under LB556 was modified regarding a juvenile not being detained unless-- so in order, in order to detain a juvenile, in addition to a variety of safeguards, there was concern from senators-- and others, but certainly from Senator Spivey and Senator McKinney-- that line 23 of page 30 allowed for the detention of a child ten years of age or younger. And-- so what we created was subsection (c), which--

DeBOER: Time, Senator.

BOSN: Thank you.

DeBOER: Thank you, Senator Bosn. Senator McKinney, you're recognized.

McKINNEY: Thank you, Madam President. I rise in support of FA276. It's striking my bill out of the package. Reason for this, there was a change in AM1489 that raised a lot of red flags for a lot of people. And I don't want to pass anything forward that potentially will make it more difficult for individuals to file post-conviction relief motions and things like that. So some people might enjoy-- here-- here's a present. Here's a gift, actually, that you can make sure Senator McKinney passes one less bill this session. So I would encourage you to vote for FA276. Thank you.

DeBOER: Thank you, Senator McKinney. Senator Bosn, you're recognized.

BOSN: Thank you again, Madam Chair. And thank you, Senator McKinney. I do not wish to see you pass one less bill this year. Although in this particular case, I will be supporting Senator Dungan's floor amendment to take out your bill. So as I was saying as it relates to Senator Riepe's portion of the committee amendment, that's on page 30, starting with line 25, we created subsection (c). And that subsection is directed towards juveniles 12 years of age or younger. And it adds an additional layer of protection for those juveniles, stating that they shall not be placed in detention unless all temporary and alternative placement options have been exhausted. So does that mean we have to look at all the placements in all 50 states? No. The goal here is make reasonable efforts to exhaust all alternative and temporary placement options before looking to detention. We don't want detention to become-- I think Senator McKinney and Senator Spivey's concerns were that this just becomes a catch-all for individuals who are 11 and 12. And it adds another layer of protection that the court would review the

detention every five days that a juvenile would remain in detention-- so essentially a review hearing-- and that an attorney on behalf of the juvenile can request a detention hearing, which technically they can do anyway, but the request was to add that language, and so we've now added that language. Is there a threat someone will take advantage of that and file a motion for placement review every 24 hours? Potentially. So if that needs to be fixed, we'll come back and do it, but my hope is that no one's taking advantage of that but rather using that appropriately when an-- a placement option has been made available. They would then request that hearing within 24 hours so that juveniles are not languishing in-- of any age, quite frankly-- languishing in detention when there are placement options available that are less restrictive. So that deals with that portion. Then looking to page 34, Section 17, is targeted at Senator Bostar's LB684. And the language that we ultimately all agreed to was comprehensive supervision probationer. The factors that we are asking probation and the courts to take into consideration for determining whether a juvenile is a, what we're calling typical probationer-- I hate the word normal. No one's normal. We're all who we are. So a typical probationer versus someone who really needs a more comprehensive plan to address their needs and be set up for success. That's what this section is designed to address. At the hearing, we heard over and over again that the, the programs that probation is putting in place for-- I think it was 84% of juveniles was working well, kids were doing-- were successful. We weren't overmonitoring them, undermonitoring them. It was a good system. This is targeted for the youth who just need an added layer of supervision and support and services. And that's the 16% of kids-- or, roughly about that-- who the court will consider based on the nature of their adjudication, the effectiveness of any past interventions or sanctions. Were they previously a youth who was abused or neglected? What worked well? What was a reward system that worked? What was a reward system that didn't? Don't set these youth up for failure. Subsection (c) says a predisposition investigation by the probation officer. That will include any mental health evaluations, information from their school resource officer or whoever's been working with this juvenile. We'll have the opportunity to come together, work with probation to complete a predisposition investigation that will be made available to the courts for taking into consideration. And subsection (d) is a recommendation from the county attorney or city attorney, including input from law enforcement. What is their concerns and how can we best address them to put this youth on a path for success? That's the goal here. We worked really hard on coming up with a list that wasn't overcumbersome or undercumbersome but just really targeted to be effective for these youth who just needed an

added layer of protection. It also sort of then clarifies-- OK. Once a youth is identified as someone needing comprehensive supervision or a probationer is identified as needing comprehensive supervision, what are we doing to set them up for success? So that's the subsection (3) on page 34, starting on line 17. It talks about early identification of needs, intensive supports such as therapeutic services, educational and vocational assistance, family engagement, mentorship, and behavioral interventions. And then starting on line 21 is what I was talking about with ensuring that right hand and left hand are communicating. That's a dually involved youth that-- probation shall work with the department to ensure coordinated and adequate service delivery. I'm out of time. Thank you, Madam President.

DeBOER: Thank you, Senator Bosn. Seeing no one else in the queue. Senator Dungan, you're recognized to close on your amendment.

DUNGAN: Thank you, Madam President. Again, colleagues, I'd encourage your green vote. This is one of the rare, rare agreed upon things that we're dealing with right now. Senator Bosn's in favor of this. Senator McKinney's in favor of this. This is removing a bill from the package that was Senator McKinney's originally. We just-- it needs more time to make sure that it's correct. We want to make sure it does what we think it does. So asking your green vote on this. It is supported by all of the parties that have spoken here today. Thank you, Madam President.

DeBOER: Thank you, Senator Dungan. Colleagues, the question before the body is the adoption of FA276. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 38 ayes, 0 nays on the adoption of the amendment, Madam President.

DeBOER: The amendment is adopted. Mr. Clerk for the next amendment.

ASSISTANT CLERK: Madam President, Senator Spivey would move to amend with AM-- or-- excuse me-- with FA277.

DeBOER: Senator Spivey, you're recognized to open on FA277.

SPIVEY: Thank you, Madam President. And good afternoon, colleagues. So this amendment is up now because there were some technical changes after we voted and approved the withdraw and swap for FA1489 [SIC-- AM1489]. That then moved my original amendment that I had placed a few weeks ago. It was, like, null and void because it was to a-- an amendment that was no longer there. And so what this amendment does-- it is online, so you can see it. And I appreciate the quick work of the

Clerk's Office for catching that and helping me navigate. It basically says that the state would reimburse political subdivisions for the increased costs of what is provided. And so as I mentioned earlier, we actually just got a letter that I, I read around the proposed changes in budget implications to the Supreme Court and what would happen as we see now and with the changes and cuts that juvenile services who are already underfunded are going to be less funded. Senator Holdcroft made the motion to put some of that money back in, which passed, within the budget. However, they are still underfunded. And so this is just saying that, based on this new policy that provides comprehensive services for this 14% or 15% of juveniles on probation, that if there are unintended costs associated with it that are not budgeted for or that require that county to provide that service, that the state is responsible. And I think this is fiscally responsible. We talk a lot about unfunded mandates and what we put on our counties and our districts and what does that look like. And if we are saying that they have to do more work and that more services have to pre-- be provided, then we should cover the cost. We should ensure that they are able to do that and that they don't then go back to taxpayers and levy in different ways. And so this amendment basically, as I mentioned, just says that we would cover all incurred costs to that political subdivision and it would be reimbursed by the state of Nebraska. That is the we. And so I would encourage your green vote on FA277. Again, this was originally drafted for the previous AM that was withdrawn, and it was switched out with AM1489. So I do not have all of the sections that this would apply to as I had done earlier because of that change today. But Bill Drafters would work on that to ensure that every section is represented of where there could be potential cost in those increases that then the state would be responsible, which, again, I think is our responsibility as we have this legislation put forward. And so with that, Madam President, I yield the rest of my time.

DeBOER: Thank you, Senator Spivey. Senator McKiv-- McKinney, you're recognized.

McKINNEY: Thank you, Madam President. I rise in support of this AM, FA277. And the reason why I support this is because if the state is going to be in the business of potentially detaining more youth, then the state should pay for it. The state should take on some responsibility because our county facilities will be filled if there's a potential for more youth to be detained. And we place caps on our, on our counties anyway, so how are they gonna make up this, this difference? So that's why I'm supporting this, because we've already put restrictions on our counties. And now with this bill, there is a potential for more youth to be in the system and being detained. And if

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that is so and the state think it's important that we detain youth or-- for evaluations or whatever, then I think the state should take the responsibility to pay for it. I don't think that's wrong. I think it's right. Because although the fiscal note doesn't state it, there is a potential for a unfunded mandate if the bill passes, because the counties will have to take on this responsibility of detaining and holding youth. So that's why I support it, because I think if we feel like it's so important that 11-year-olds should potentially be detained, then we should also step up and say we have resources to fund that as well. So thank you.

DeBOER: Thank you, Senator McKinney. Senator von Gillern, you're recognized.

von GILLERN: Thank you, Madam President. Would Senator Spivey yield to a question?

DeBOER: Senator Spivey, will you yield?

SPIVEY: Absolutely.

von GILLERN: Good afternoon, Senator Spivey. Thank you for yielding to the question. I'm reading-- I'm trying to get caught up. Forgive me. I've just-- I pulled up the amendment. I read it. I listened to you. There's-- obviously, there's no fiscal note. We're on Select File. What will this cost the state of Nebraska?

SPIVEY: Yes. So this was originally filed to a different amendment, and so that's why we couldn't see the fiscal note in this way, because we withdrew and swapped with AM1489. And so it's not clear what this would cost the state because it's not clear what this would cost the district. So in my conversations with Chair Bosn around this, we-- and talking to Corey Steel, we know that there will be increased services because now there are more comprehensive processes put in place for these-- this 14% of kids that are on probation. The bill also has where there are hearings now for a new criminal violation looking at the revoking. And so there is an increase to the districts. We don't know what that is. And this, this just says if it's not budgeted for and they don't have it because we now put it in statute, the state will cover.

von GILLERN: OK. Thank you for responding to that question.

SPIVEY: You're welcome.

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von GILLERN: Yeah. It's-- I'm, I'm not in-- usually in the habit of voting for something that we can't quantify, so I'll probably struggle with that. But I'll listen to further comments. Thank you, Madam President.

DeBOER: Thank you, Senator von Gillern and Senator Spivey. Senator Bosn, you're recognized.

BOSN: Thank you, Madam President. I apologize. I was also not up to speak because I was not able to find this floor amendment until very recently. Would Senator Spivey yield to another question? I apologize.

DeBOER: Senator Spivey, will you yield?

SPIVEY: Absolutely.

BOSN: So this is FA277, which directs the political subdivisions' costs for implementation of essentially LB530 to be borne by the state as opposed to the political subdivision. Is that your goal here?

SPIVEY: Yes. So my original amendment, it had the previous sections for the original amendment-- I apologize. I can't remember that number-- that said that any increased costs due to LB530 would then come out of the state versus a political subdivision.

BOSN: And can you tell me right now, as it relates to juvenile probation costs, who pays those?

SPIVEY: For juvenile probation's budget?

BOSN: Right.

SPIVEY: So we appropriate to the Supreme Court.

BOSN: And so those are borne by the state as well, is that fair to say?

SPIVEY: I would say taxpayers, but yes.

BOSN: So I guess I'm, I'm not totally sure I understand. And I will work to-- look more into it. But what this is going to change given that-- right now, the state pays those costs. And so there wouldn't be any modification of that current situation by the implementation of LB530.

SPIVEY: I think it's the monetary amount. So that means if we are already bearing the cost and there's additional cost, their

appropriation would change, right? Because right now, they have a finite budget that they have to work within that we've appropriated.

BOSN: Who's the "they" there?

SPIVEY: The Supreme Court. So the-- so within the juvenile probation's budget in Supreme Court, there is an appropriated amount. And so they have to work within those confines for their program areas. So if there are additional costs that are incurred because of specifically LB530, then we would change the appropriation. We would come back as a state and cover that. Versus saying, political subdivision, you figure it out.

BOSN: But the political subdivision isn't paying them. As you said, they're borne by the Supreme Court through their supervision of juvenile probation.

SPIVEY: So say, for example, it's around the lower risk placement. And politle-- so this-- juvenile probation has that. They have subgrants to Douglas County. And Douglas County's saying, hey, for these reimbursement rates for these now comprehensive kids, that's going to cost us an additional \$15,000 for these four kids. We don't have that. Then we are going to come in and say, all right. We're going to reappropriate money to juvenile justice to be able to then give that money to that political subdivision versus them absorbing that.

BOSN: And I guess what I'm not understanding is I think that those costs are then already passed from Douglas County's probation office to the state juvenile probation through-- to the courts as it stands right now because Douglas County doesn't pay for their probation. The state pays for their probation.

SPIVEY: Within their, their allocated budget. So if there's a new incurred cost-- and that's what the original amendment said. And I-- this one has it too-- because, again, we had to change right now because of where it was amended to-- any increase in cost. And so it's specifically about the increase in cost. So if they're seeing their budget change, it's costing more money, then we are coming back to say we are absolutely gonna cover it, versus saying, you see an increase of cost, and you, you might have to stop doing something else in order to do it.

BOSN: OK. And I appreciate your explanation. Perhaps it's a Carolyn confusion and not a Senator Spivey confusion.

SPIVEY: No. It's OK. I appreciate the dialogue, so you're fine.

BOSN: But I, I don't think there's any increase in costs borne by the political subdivision because-- the political subdivision doesn't pay anything. They are, they are operating with probation and then funded through the amount. I guess-- am I, am I summarizing your concern correctly-- and I'm using rou-- round numbers. Let's say Douglas County-- or, Douglas County probation receives \$1 million from the Supreme Court to run their juvenile probation. Is it-- am I characterizing your concern correctly to say, if LB530 is implemented, you're concerned it would cost \$1.25 million and now they don't have it?

SPIVEY: Correct. Like, think about it from some of the feedback that we received around the age changes and how that could mean that if a kid is detained that that's going to be increased cost, where are they going to go? They don't have the resources now. So if--

DeBOER: Time, Senator. Senator Hallstrom, you're recognized.

HALLSTROM: Thank you, Madam President, members. I rise in opposition to FA277. I, I don't know exactly the nature. I've been trying to listen to the dialogue between Chairman Bosn and Senator Spivey. It appears to me maybe a, a broader issue about unfunded mandates. And I certainly think that's worthy of discussion, perhaps, in a, in a broader context and has some implications and interplay with property tax relief. So I-- I'm not adverse to the, to the discussion of the topic, but I don't think it has a place at this moment in time on AM1489 or LB15-- LB530. I think I'd just take a moment-- and, and we all work hard and all of our committees work hard, but on this particular bill, both at the committee level with Chairman Bosn and, and the committee members that I'm pleased to serve on, we put a great deal of work into getting this bill out of committee in the form that it came out. We have a lot of inclusiveness in terms of the individuals whose bills have been wrapped up into the committee amendment. We've got Senator Kauth's vehicle, LB530; Senator Bosn's LB6. Senator McKinney, we had LB44 for a while. Unfortunately, that was taken out by the Dungan amendment. But I know Senator McKinney put a lot of work into that, as did the committee. And I'm looking forward to working and, and finding the right solution next session on that particular issue. Senator Cold-- Holdcroft has LB124; Senator DeKay, LB395; Senator Bostar, LB644-- in and of itself quite a bit of work that was done between the interested parties in getting to resolution on that issue. A great deal of angst and consternation, but I think we've got a good work product that's come out of the, the process. And finally, LB404, which was a combination of a labor of love between myself and Senator John Cavanaugh to get us on the same page on that particular bill. So I was glad to be able to work together on that

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one. But again, I think not only at the committee level but since that time there has been a great deal of work and effort that's been put into this by all of the interested parties that Senator Bosn had referenced in her opening remarks on this. I think it's an excellent bill, covers a great deal of ground and subject matter. And again thank all of parties that have been in-- involved and engaged in the process to, to get us to this point. With that, thank you.

DeBOER: Thank you, Senator Hallstrom. Seeing no one else in the queue. Senator Spivey, you are recognized to close on your amendment.

SPIVEY: Thank you, Madam President. And just to finish that thought with Senator Bosn-- oh. Just to fin-- oh-- I can keep going? It's still my time, right? I can close? OK. Just to finish that thought with Senator Bosn is that some of the feedback specifically working-- again, I'm an Omaha senator in Douglas County-- is around the age changes that are proposed in the bill and what does that mean for kids that are potentially detained. It would increase their capacity that's currently not budgeted for. So that means the, the folks who pass through the money to Douglas County have not budgeted for it because they're currently working within their budget in the current statute. So this would say if there's any increase in that-- which Douglas County has said, yes, because of what is proposed from the comprehensive nature of the probation to the age change in detention that there would be increased cost in services needed to be able to adhere to the law. And so this amendment just says that, when that happens, that this will just be covered and that there will be money for those services. And so I would appreciate your green vote on FA277. We talk a lot about our districts and our counties, ensuring that we don't have unfunded mandates. We think about how do we use taxpayer dollars wisely, and this, I think, shows accountability that if we're going to pass law that says that we have to provide these services, that these agencies have to do this programming, that we fund it. And with that, I yield the rest of my time, Madam President.

DeBOER: Thank you, Senator Spivey. The question before the body is the adoption of FA277. All those in favor vote aye; all those opposed vote nay. Have you all voted who care to? Record, Mr. Clerk.

ASSISTANT CLERK: 12 ayes, 23 nays on the adoption of the amendment, Madam President.

DeBOER: It is not adopted. Returning to the committee amendment. Sorry. This is actually just Senator Bosn's amendment. Seeing no one in the queue. Senator Bosn, you're welcome to close on AM1489.

BOSN: Thank you, Madam President. And thank you, colleagues. To the extent that Senator Spivey's floor amendment failed, if there's a concern and that needs to be addressed, I will continue working with her on that as well. I, I just was a little caught off guard by what that-- the goal there is, and, and-- so I think that probably needs a little more time to flesh out. I am still asking for your support on AM1489. I know we've had a long road to get here. It is certainly not due to a lack of efforts from all sides to get to this point. LB530 is a great package of bills, colleagues. There are bills in here-- I'll go, I'll go through them, but. Starting with LB124, we have Senator Holdcroft's bill that addresses a discrepancy that-- which is quite frankly upsetting for a lot of families-- dealing with the motor vehicle homicide of an unborn child and the penalty of that, which was different than the penalties for the death of an unborn child in all other circumstances. And so this corrects that mistake. And I know Senator Holdcroft worked really hard on that as well. Then we-- it has-- this package has LB6, which is a bill that I inherited from my predecessor. I know she worked really with Senator Wayne and other stakeholders to come to as close to a consensus as we could get when dealing with individuals who are dealing drugs and-- specifically fentanyl, the impact that that's having on individuals living in our state and the fact that such a minute amount of fentanyl is enough to kill someone or cause significant bodily injury and addressing that head-on and full stop. We are not going to put up with that in the state of Nebraska. We are now joining what is a significant majority of states in saying that that deserves a more significant penalty and the next class-- the next higher class of penalty. The next bill in this is Senator-- so then we go to LB404, which was language worked out between Senator Hallstrom and Senator John Cavanaugh addressing payment of fees for juvenile probationers and extending juvenile probation. That's-- always helpful to give an example. So if I'm a juvenile on probation and my probation term is set to end December 31 and I'm working the program and doing well and I have-- I'm in a substance abuse treatment program and my graduation date is February 1, I'm now not on probation, and so I-- but I haven't completed that treatment program. And so it's an unsuccessful completion of the treatment program even though I'm doing everything I can do. And so whether that's-- that the probation office needs to continue the funding source for that juvenile to be able to complete that program successfully-- I think that's certainly a laudable goal, that we want to encourage youth to complete the programs-- but how do we really do that without extending the term of probation, not as a punishment but as an encouragement to help them be successful? So we included specific language that it's at a joint request of both the juvenile and their attorney, as well as county

attorney or, or city attorney for purposes of a variety of things, but among them and primarily is completing treatment for a successful completion. We had Senator McKinney's LB44, and we've now modified that, but we'll continue working on that in good faith. Then we go to LB556 and LB684, which were meaningful efforts by individuals who work firsthand with juveniles every day and want to see them successful, want to break the cycles that we hear time and again are occurring, but want to have those juveniles set up for the best path of success. And I think everybody has the same goal. Perhaps we have different roads of accomplishing it, but this is a step in the right direction to accomplish those goals. And if there's more work that needs to be done, I am committed to working on that going forward and for the remainder of the time that I'm in the Legislature. And I've appreciated the original opponents-- who are probably still opponents-- but who are on the other side of this bringing some of those concerns to my attention so that we can have thoughtful and meaningful conversations about how best to set youth up for success and change some of the trajectory that I think everybody feels is existing currently. And that's the, the language to modify for comprehensive supervision probation for youth who need an added support and-- while still allowing the youth who have been successful under the current structure to remain in the current structure and honoring and respecting that. The bill also includes--

DeBOER: Time, Senator.

BOSN: Thank you.

DeBOER: Thank you, Senator Bosn. So the question before the body is the adoption of AM1489. All those in favor vote aye-- there's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

ASSISTANT CLERK: 32 ayes, 1 nay to place the house under call.

DeBOER: The house is under call. Senators, please record your presence. All those unauthorized personnel on the floor, please leave the floor. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. The house is under call. Senator Kauth, we're missing several members. Would you be willing to go ahead without them? Senator Fredrickson, Senator Clements, Senator Jacobson, Senator Ibach, Senator Bostar, Senator Dorn, Senator Ballard, Senator von Gillern, the house is under call. Please return to the Chamber. Senator Fredrickson, Senator Clements, Senator Jacobson, Senator Ibach, Senator Bostar, Senator Dorn, Senator Ballard, Senator von Gillern,

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please return to the Chamber and record your presence. All unexcused senators are now present. The question before the body is the adoption of AM1489. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 41 ayes, 5 nays on the adoption of the amendment, Madam President.

DeBOER: The amendment is not adopted. The amendment is adopted. I raise the call. Seeing no one in the queue. Senator Kauth-- sorry. We have to withdraw some motions first.

ASSISTANT CLERK: Senator Spivey, I have MO213 with a note that you wish to withdraw.

DeBOER: Without objection, so ordered.

ASSISTANT CLERK: And Senator Spivey, I have FA162 with a note that you wish to withdraw.

DeBOER: Without objection, so ordered.

ASSISTANT CLERK: I have nothing further on the bill, Madam President.

DeBOER: Senator Guereca for a motion.

GUERECA: Madam President, I, I move that LB530 be advanced to E&R for engrossing.

DeBOER: There's been a request for a record vote. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

ASSISTANT CLERK: 35 ayes, 9 nays on the advancement to E&R for engrossing.

DeBOER: The bill is advanced. Next bill.

ASSISTANT CLERK: Madam President, LB530A. I have nothing-- I have nothing on the bill.

DeBOER: Senator Guereca for a motion.

GUERECA: President, I move that LB530A be advanced to E&R for engrossing.

DeBOER: This is a debatable motion. So turning to the queue. Senator Kauth, you're recognized.

KAUTH: Thank you, Madam President. And thank you for keeping us on our toes with that last vote. I want to talk a little bit about the part of my bill-- and I didn't get a chance to say this earlier, LB530. I was given information today talking about the states with the highest percentage of pedestrians killed in fatal crashes at intersections. Nebraska is at number eight. So this is kind of a public plea. People, take your time. Slow down at those intersections. Yellow does not mean go faster. Yellow means slow down and prepare to stop. I think you remember me speaking about the young woman who was killed at an intersection at 176 and Q three weeks ago now, Ellie Cole. Last week, there was a-- they called it the Q Street Slowdown. On Q Street, dozens of high school students, parents standing with signs begging drivers to slow down. What was remarkable to watch was, as people were driving by, they were honking and waving and saying, yeah, we, we support it. But they had just installed a, a-- one of the traffic readers that was kind of clocking people's times. Everyone was going over 45 miles per hour while they were honking and saying, yes, please drive slower. So this is, this is a public plea. There is nothing that you need to get to that fast to risk people's lives. I know when we taught our kids how to drive we actually taught them to give three seconds at a-- when your light turns green, count to three, just because so many people run red lights here. And I've spoken with a number of people in my area in response to Ellie's death about looking at how we help improve intersection safety. So I would like to thank everyone for choosing to vote on this bill. It is very important. Proud of all the work that Senator Bosn has put into all of the different pieces of this package. And I would encourage you to vote green on LB530A.

DeBOER: Thank you, Senator Kauth. Senator Bosn, you're recognized.

BOSN: Thank you, Madam President. I rise in support of the A bill. This is the necessary funds for LB530 as amended for the committee priority package. Colleagues, because we-- and perhaps this goes a little bit towards the concerns that Senator Spivey had for providing more comprehensive services for some of these juveniles, the potential of increased costs for anyone detained, the expenditure would be-- the request is an A bill for \$134,000 in cash funds from '25-26 budget year. This-- it goes on to state there are-- from probation term extensions, potential for increased workload from high-risk-- this is an old fiscal note on it, so those would be called comprehensive supervision juvenile probationers-- hearings, and their detention, and judicial education for the probation officers to understand and better address some of the added language that we put in there. So essentially, in providing additional services, the costs go up. And I think that when we say we want to fix the communication and have better

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outcomes for juveniles, we need to be willing to consider that and support those needs. So if you look at the A bill on this, it's \$134,000 from the cash fund for this fiscal year, '25-20-- 2025 to 2026 and \$0 for the following year because they-- I think-- my understanding from talking with them is that, once these services are implemented, things will be up and running. And so colleagues, I do ask for your green vote again on LB530A. And I want to appreciate-- to express my appreciation for everyone working with us coming to this place. I know that there was a significant amount of work done on not only this committee priority package but on the other matters that we worked diligently on in efforts to reduce fiscal notes where we could but also to support the common goals that we all shared within the committee. So please vote green on LB530A. Thank you, Madam President.

DeBOER: Thank you, Senator Bosn. Senator Jacobson, you're recognized.

JACOBSON: Thank you, Madam President. I had to step out for a while and be at a meeting, so maybe-- could I ask Senator Bosn some questions?

DeBOER: Senator Bosn, would you yield?

BOSN: Yes.

JACOBSON: I-- so I did have to step out for a moment or two. Could you tell me a little bit more about what's, what's in this bill now that we've gone past these amendments?

BOSN: Sure. So there's a variety of bills that are put into LB530 because this is the committee priority package. So the A bill that's on this does not actually pertain to Senator Kauth's-- we called it a bike share bill. The fiscal note that is being addressed in LB530A more pertains to the fixes we crea-- we attempted to create in the juvenile probation portion of this. So that would be Senator Riepe's LB556, Senator Hallstrom's LB404, and Senator Bostar's LB684. And by expanding our services that we're providing, as well as trying to make sure that everybody-- the right hand and the left hand-- I've used that analogy-- are talking in an effective manner to set these youth up for success are being addressed, there are some additional costs that came through the A bill from General to Select. And so that's where-- how we got here.

JACOBSON: All right. Thank you. Thank you, Madam President.

DeBOER: Thank you, Senator Jacobson. Senator Hallstrom, you're recognized.

HALLSTROM: Madam President, members, I've gotten some indication that we need to visit for a little bit of time. And I asked Chairman Bosn if she wanted me to tap-dance or sing, and she didn't want either one of those, but she did make a special request that I talk about some useless sports trivia. So here goes on a, on a Thursday afternoon. And if I see some people walk into the room, I will shut up immediately. But I've talked a little bit about University of Nebraska basketball folklore on occasion. Last time, we talked about some of the Nebraska players and others that had gone to Omaha Tech years ago. And today, I'll talk a little about the line of coaches that we've had going back as far as Jerry Bush. Jerry Bush happens to be current Coach Fred Hoiberg's grandfather. He was followed by Joe Cipriano. Joe Cipriano's son, Randy Cipriano, was a star on the-- I think the 1978 UNK second-place finisher in the NAIA. He was followed by Moe Iba. You might recall from my-- if, if you listened, from my fir-- earlier conversations about Texas Western, that Moe Iba happened to be a, a assistant basketball coach to Haskins at that time. And he ended up at Nebraska. Danny Nee was a coach who took us to the NCAA for the first time in many years. Doc Sadler, who's now an assistant coach at Kansas, was also a head coach at Nebraska. Barry Collier, a somewhat infamous few years here at Nebraska. And then the gregarious Tim Miles. And then currently Fred Hoiberg. If we go back to Coach Bush back in the 1950s, one thing of note: despite not having a sterling record, Coach Bush was the coach when the Nebraska Cornhuskers in 1958 defeated Kansas 43-41. The significance of that game was that Wilt "The Stilt" Chamberlain was a star at the University of Kansas. The Huskers pulled a major upset that night. One of the little known factors of that, for those of you who weren't around in 1958, was that Nebraska-- a gentleman named Jim Kubacki made the winning basket with about three to five seconds left. And Jim Kubacki had been injured all week with a knee injury. He came to the game. He was not in uniform. But Nebraska was running short on players. And one of their players, Gary Reimers, had to leave the game. And in came Jim Kubacki, who had gone down into the locker room to get dressed up and uniformed with a little less than three minutes to go. And he ended up scoring the winning basket. I don't know if there's too much more to go. Can I stop now? I'd love to. Thank you.

DeBOER: Thank you, Senator Hallstrom. Senator Conrad, you're recognized. Senator Conrad waives. Senator Clements, you're recognized.

CLEMENTS: Thank you, Madam President. I wanted to make a comment about LB530A, the, the A bill here. Senator Bosn did mention it's a cash fund. And it-- it's asking for \$134,000 for fiscal year '26 and none in fiscal year '27. And it does not affect our budget, because it's cash fund. And I did look up-- it's called the Supreme Court Automation

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Fund, which gets revenues in of about \$3.3 million more from-- mostly from court automation fees. And it currently, as of April 30, has \$4.1 million in it. So that \$134,000 will not hurt the fund, and it'll be remaining sustainable. I just wanted to make sure that this was not going to be a burden on the court in this bill. There is funding for this bill on the-- LB530A will not be a problem. So I ask for your green vote on LB530A. Thank you, Madam President.

DeBOER: Thank you, Senator Clements. Senator Conrad, you're recognized.

CONRAD: Question.

DeBOER: Senator Conrad, there's no one else in the queue. Seeing no one else in the queue. The question is the advance-- the question before the body is the advancement to E&R Engrossing. All those in favor say aye. All those opposed say nay. The bill is advanced. Mr. Clerk for some items.

CLERK: Madam President, your Committee on Enrollment and Review reports LB644A to Fi-- as correctly engrossed and placed on Final Reading. New LR: LR275 from Senator Raybould; LR276 from Senator Fredrickson; LR277 from Senator Clements; LR278 from Senator Bostar. Those will all be laid over. That's all I have at this time.

DeBOER: Speaker Arch for an announcement.

ARCH: Thank you, Madam President. Colleagues, last night after adjournment, the Legislature received communication from the governor that he had signed LB262 and LB264 and issued line-item vetoes. The Legislature was not in receipt of the actual bills with those line-item vetoes until this morning, which we believe is outside of the constitutional five-day deadline for receipt of gubernatorial vetoes. As such, we don't believe that we can accept these vetoes. I have directed the Clerk to return the bills to the governor with a message outlining the facts. For this reason, I understand the Appropriations Committee will not be meeting after adjournment as there are no vetoes to consider at this time. Mr. Clerk, will you please read that message into the record?

CLERK: Communication to the Governor. Dear Governor Pillen, this correspondence serves to formally return LB261 and LB264 to your office. Article IV, Section 15 of the Constitution states every bill passed by the Legislature before it becomes law shall be presented to the governor. If he approves, he shall sign it and thereupon it shall become a law. But if he does not approve or reduces any item or items

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of appropriations, he shall return it with his objections to the Legislature, which shall enter the objections at large upon its Journal and proceed to reconsider the bill with the objections as a whole or to proceed to reconsider individually the item or items disapproved or reduced. Any bill which shall not be returned by the governor within five days-- Sundays excepted-- after it shall have been presented to him shall become law in like manner as if he had signed it unless the Legislature by their adjournment prevents its return-- in which case, it shall be filed with his objections in the Office of the Secretary of State within five days after such adjournment or becomes law. The facts at present are as follows: on May 15, 2025, LB261 and LB260 were passed by the Legislature and delivered to the governor on the same date. The bills were signed by the governor on May 21, 2025 with the inclusion of line-item vetoes. Signed bills were delivered to the Secretary of State on May, 21, 2025. On May 22, 2025 at 12:01 a.m., the signed bills were in the possession of the Secretary of State. The morning of May 22, 2025, the bills were returned to the Legislature signed by the governor and a receipt stamp from the Secretary of State indicating the bills were received on May 21, 2025. In light of the aforementioned considerations, the Legislature is hereby remitting these bills to the Governor's Office pending further determination regarding the constitutionality of present circumstances. Priority motion: Senator Hardin would move to adjourn the body until Tuesday, May 27 at 9:00 a.m.

DeBOER: Colleagues, you've heard the motion. All those in favor say aye. All those opposed say nay. We are adjourned.